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# THE FATE OF THE JURY

*An Epilogue to Domesday Book*



EDGAR LEE MASTERS

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WE seven men,  
Yourself as coroner, and we as jurymen  
Should tell in some appropriate form the thing  
Most critical in our lives, and out of which  
As root our lives shot into stems or leaves  
And blossoms, if they blossomed; or what rust,  
Rot or decay assailed them into death.

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# The Fate of the Jury

By EDGAR LEE MASTERS

As a second title to this poem, Edgar Lee Masters has chosen *An Epilogue to Domesday Book*, for here he has recounted, in a separate and complete narrative, the lives of the jurymen that figured in that earlier poem.

The central portrait is of the coroner, Merivale, and his love for the mysteriously beautiful Arielle; against this are told the stories of the other men. Each is a testimony to the inner meaning of life, the confusion, frustration and joys that are the share of small men.

The deep irony and intolerance of hypocrisy that have marked Mr. Masters' other works are present in this poem. The power, the vivid insight that characterized *Spoon River Anthology* are also here, while the unfolding narrative gives a dramatic interest to the poem as a whole.

Harriet Munroe, in a critical estimate of Mr. Masters, has called him huge, and as likely to make other reputations of the day look small when fully understood. *The Fate of the Jury* will inevitably add to this understanding.

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THE FATE  
OF THE JURY

## BOOKS BY EDGAR LEE MASTERS

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### *In Verse*

SPOON RIVER ANTHOLOGY  
SONGS AND SATIRES  
THE GREAT VALLEY  
TOWARD THE GULF  
STARVED ROCK  
DOMESDAY BOOK  
THE OPEN SEA  
SELECTED POEMS  
THE NEW SPOON RIVER  
LEE: A DRAMATIC POEM  
JACK KELSO: A DRAMATIC POEM

### *In Prose*

MITCH MILLER  
SKEETERS KIRBY  
CHILDREN OF THE MARKETPLACE  
THE NUPTIAL FLIGHT  
MIRAGE  
KIT O'BRIEN

# THE FATE OF THE JURY

An Epilogue to  
*Domesday Book*

by  
EDGAR LEE MASTERS



NEW YORK                      LONDON  
D. APPLETON AND COMPANY

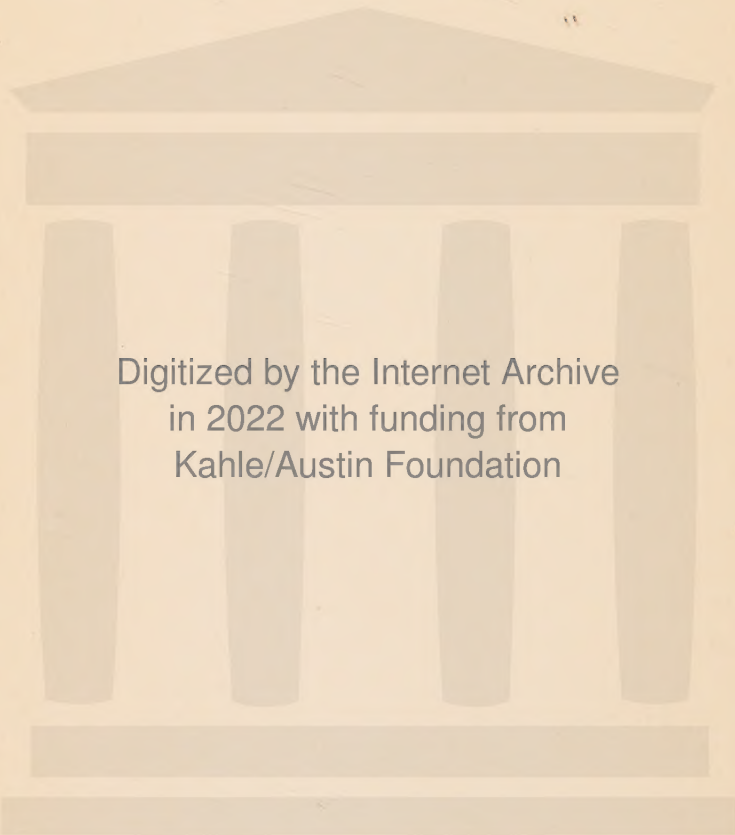
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THE FATE  
OF THE JURY



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# THE FATE OF THE JURY

## I

Now after the inquest into Elenor Murray's  
Death for some weeks the morbid strollers gazed  
There by Starved Rock, where the lover Barrett Bays  
Had held her in his arms, when syncope  
Came on her for his anger, storm of words,  
And where she fell to death, and lay till found.  
Meanwhile the jurymen, Marion, Ritter, George,  
Newfeldt and Maiworm, Borrow merged again  
In the former ways of inconspicuous life.  
And Coroner Merival absent from LeRoy  
Saw Arielle at Madison.

But that night  
With the verdict signed, and all the others gone,  
Marion for a moment stood and talked  
With Merival, saying how strange it was  
That Barrett Bays, who hated Elenor,  
(Come to revulsion after her faithlessness  
Awoke him to the truth that amorous madness  
For Elenor had made him clothe the War

## THE FATE OF THE JURY

With goodness, Providence)—how strange it was  
That Barrett Bays had surged with tenderness  
For Elenor when she reeled from syncope,  
And clasped her in his arms; when she had lived,  
Or might have lived, if he had steeled his heart  
And let her fall.

To which the coroner  
Nodded approval, giving half his ear,  
But with his fancy turned to Arielle  
In speculation of her face and voice,  
Her ways, to be revealed in twenty hours,  
To him led to her by this Elenor Murray,  
This inquest which had stirred the countryside,  
And prompted Arielle to write a note  
To Merival about the spiritual side  
Of Elenor Murray, as the proof disclosed  
Her inner life, all published in the press  
From day to day. So dreaming Arielle  
The coroner half listened to his friend.  
Then said good night, and tucked himself in bed;  
And passed to sleep forecasting Arielle.

At ten o'clock next morning Merival  
Stood waiting at the station for the train,  
Expectant, happy, rapt in revery.  
Near was his chauffeur holding Boy, the dog,

## THE FATE OF THE JURY

The Airedale, looking like a bearded man—  
Such large and knowing eyes which glowed beneath  
Thatches of hair. What did this creature mean  
Which came to him when first he left his bed  
Worn with the inquest? Why did it find the mat  
Before the entrance door, and lie thereon  
Morn after morn until the servants fed it?  
And why when once the servants let it in  
Did it run straight to Merival and lick  
His hand, and lie thereafter by his desk  
As he wrote, with one eye watchful for the sign  
That Merival was rising to walk away?  
Why did it worship Merival?

Now after days  
Of Boy beside his desk, an angry man  
Knocked at the door of Merival and said,  
“I want my dog which you have won away.”  
“Is he your dog?” asked Merival. And the man  
Replied, “He is my brother’s, to whom he came  
Upon the streets of Ithaca, and he will follow  
Any one who is kind to him, whom his fancy  
Takes after for the time.”

So Merival said:  
“That’s not his nature; he is mine by right  
Of strange affection, and I’ll buy the dog.”



## THE FATE OF THE JURY

So Merival then bought him, named him Boy;  
And Boy was like a soul that finds its home.

Now Merival was looking at the train,  
And then at Boy; and he was wondering  
If somehow Boy was symbol, prophecy  
Of Arielle, who had sought him too; and if  
Admitted to his life would bless it, while  
He blessed her life in turn.

A hurrying group  
Of travelers on the platform choked the steps  
Of the smoker, crowding laughingly for seats.  
And there was Winthrop Marion taking up  
The broken thread of life upon this train  
Bound for Chicago. Finding seats together  
These two fell talking. Marion from the window  
Was pointing to the rainy April sky:  
"Look Coroner, what lava blisters there  
Of motionless clouds! And how the yellow greens  
Of these first leaves besprinkle all the slate  
Of that becalmed eruption."

"Yes, I see.  
Still there is wind upon the earth. I woke  
To find a dash of raindrops on the pane,  
And the cherry blossoms beating snowy wings.

## THE FATE OF THE JURY

I always think of flying kites in April,  
And sailing little boats upon a pond,  
Where frogs are singing, as I used to do  
In boyhood at Peru—what happy days!  
Now I am back at work since we are done  
With Elenor Murray and her tragedy;  
And you seem traveling on pleasure bent.”

“A trip planned long ago, and taken now.  
I think we lived the life of Elenor Murray,  
And lived the lives of those who touched her life  
In all these weeks of probing to the cause  
Of Elenor Murray’s death; and I am glad  
To rest from all of it, and have a change.”

“Some one has said that one is less a man  
For opening his heart to let the world  
Look in. But is it so? And if it be  
How is it fair to open other hearts,  
And keep your own, as if a sanctity  
Surrounded it, because it is your own?  
Last night I thought of this: We seven men,  
Yourself as coroner, and we as jurymen  
Should tell in some appropriate form the thing  
Most critical in our lives, and out of which  
As root our lives shot into stems or leaves  
And blossoms, if they blossomed; or what rust,

## THE FATE OF THE JURY

Rot or decay assailed them to the death.”  
The coroner paused a moment, said, “How strange.  
I had a dream about this very thing,  
Last night it was. I dreamed I took you all  
To Cuba, to Matanzas, to the cave  
A few miles from Matanzas; and we walked  
Down, down a thousand feet, until we stood  
Beneath the ocean’s floor, which dripped the clay  
Of ceilings and of walls with shuddering sweat.  
But on we went, each lighted by a candle  
Of brownish wax, exploring, till we felt  
The ventricles of the earth, how warm and still,  
Not beating, or we did not feel the beat,  
Being at center of the heart of earth.  
Now here’s the terror. As we started back  
We faced a sunken ceiling, we were trapped;  
Stood there before the fresh earth of collapse,  
Whole tons of cruel, senseless, monstrous clay  
Which barred escape, made hopeless the outer air;  
While what remained in this hermetic grave  
Was scant already, and fed our desperate hearts  
To faster beats. I knocked upon the clay.  
What use? Through yards of putty stuff like this  
What knock could vibrate to the other side?  
No sound was on our side, although I beat  
The clay with fists, and all of you did so.  
So we who knew the fate of Elenor Murray

## THE FATE OF THE JURY

Thus quickly knew our own: Some thousand feet  
From the entrance of the cave; some thousand feet  
Below the ocean's floor, and naught to do  
But wait for death. Who knew that we were there?  
No one, it seemed. And if they did, long hours,  
Days even would elapse till spades could dig  
These tons away. Thus speechless we stood aghast;  
Until at last the Rev. Maiworm whimpered  
An idiot prayer and wept a little too,  
Seeing that paradise was near to him.  
But you spoke up and said, 'This serves us right;  
If we had never sat upon that jury  
This trip to see Matanzas had not been,  
Led by the coroner who probed the life,  
And death of Elenor Murray. And I propose  
Since all her secrets were exposed by us  
For the whole vile world to know that we sit here.  
And while we wait for death, write of ourselves  
As freely as we wrote of Elenor Murray  
By having witnesses testify and sign  
Their depositions of her inmost life;  
The ripples in her life have rippled us  
Down to this cave where we are trapped.'

"Just then

I opened my eyes and found my nose was buried  
Under the pillows where I could not breathe."

## THE FATE OF THE JURY

And Marion returned, "I have a plan:  
Let each of us write down the realest thing  
We've lived, our secret never told in life,  
Something we hid always, could never tell;  
The thing no less that colored all our deeds;  
To change the figure, the thing that entered in  
The whole mad music of our lives, was both  
The overtone and undertone, but still  
Was mostly undetected by the world.  
I'll do this. When I die the rest of you  
May gather and have read what I have written;  
So with the others too."

The coroner said,  
"But one of us surviving all the rest  
No one will be to hear his story told."

"So much the better, maybe," Marion laughed,  
"So much the better, let the lucky man,  
If it be luck to live, and keep his heart  
Unknown, unlocked, die unrevealed to us.  
The world will know it, and it may be good.  
For what is civilization but a record,  
A treasury of secrets which men bequeath  
Who live and tell their stories, which may guide  
New generations, give them hints to live  
By pointing ways of life? And he who dies



## THE FATE OF THE JURY

And leaves no record has not given his mite;  
And he who dies and leaves a false report  
Misguides and fools, and so perpetuates  
Dead eras of untruth or make-believe.  
Men should be bees, but ever swarming, not  
Swarming upon occasion like the bees.  
I sense the stir of life, the mystic drone  
Of peoples massed as cultures, or as breeds,  
And with the heat of life secreting wax  
With which to build the future. Now it is  
A new day dawns, I hope it will be fair,  
More bright than all before, though ushered in  
By war around the world, and ended with  
The death of Elenor Murray and her like.  
As sometimes thunderstorms at four o'clock,  
Which bomb the dome of heaven, shatter clouds  
That might obscure the sun.

“I’ll go to work  
To write my own confession. Who can tell  
When I shall die, or who will be the first?  
The world, or you, shall hear my secret told  
With all fidelity and fullness too.”

“And mine,” said Merival. “So see the rest,  
Ritter and Borrow, Newfeldt, Maiworm, well,  
I wonder what his reverence will say?—

## THE FATE OF THE JURY

And George, who will be truthfulness itself.  
Two things obstruct: the diffidence that balks,  
And so distorts; the eye which does not see,  
Or gets the wrong perspective, and so makes  
Too much of details till the central thing  
Fades in a weak portrayal, almost lost.  
Well, let us do our best. This neighborhood  
Knows men no deeper lived than us, nor men  
Who played a richer part than us who weighed  
The life and death of Elenor Murray, while  
In weighing them we tried to take a spiritual  
Census of America; and set forth  
America as it is, its good and bad,  
Its failures and successes, and venturing  
Directions for its future. You may be sure  
That I shall not withhold a single word  
Which makes my story understandable.  
But it will be some days before I write,  
Or weeks perhaps, since I shall take a rest;  
And, who knows, bring to issue in my life  
What is a massed confusion until now."

Marion smiled and nodded with his eyes,  
Half guessing the allusion of Merival.  
At last, they reached Chicago, parted there.  
And Marion hurried to his unwelcome task,  
While Merival changed trains for Madison.

## THE FATE OF THE JURY

That evening at LeRoy the others heard  
From Marion this plan of setting down,  
And sealing until death their secret lives,  
Which being approved each man began at once  
To study out and grasp his central clew,  
For all were fifty and their lives were made.  
There might be further growth, but out of flesh  
And spirit fashioned now by what had made  
That flesh and spirit as they were to-day.  
If richer mellowness was yet to come,  
So were the days of rot not far away.  
To tell what stung the bud, or carked the fruit  
No more to redden, but only to hang and fall  
When Fate should shake the tree, would be enough.

## II

Now many years had passed since Merival  
Had seen his aunt, that Cynthia who lived  
In Madison, and who had written him  
To cease his thought about the war, and cease  
To think of Elenor Murray. She had advised  
His soul's control by worship; she had said  
Above all things be free, by searching truth  
Find God within, and do it by such forms  
As books and temples, dogmas, rituals,  
Whatever brings the means. And Merival  
Mused on these words, and looked upon the greens,  
The waking fields, and budding hills along  
The way to Madison. In truth these words  
Of the old aunt meant less to him than when  
He read them first. So much of Elenor Murray's  
Defeat, soul grief, and longing, poverty  
Had entered in his being like an acid,  
With power to eat away such mystic lymph  
As Cynthia wrote him, that he analyzed,  
Now as he rode, with equal vigilance  
What Cynthia had written of Arielle,

## THE FATE OF THE JURY

And that she wrote of Arielle at all.  
His thought was that whatever a woman says,  
However she hides it under Hindu fudge,  
Her thought, which<sup>f</sup> burns from unexhausted oil,  
Is love, is mating, is about the child;  
And when she ages, as his Cynthia had,  
She substitutes by using an Arielle  
To live what life no longer lets her live.  
So acting had she written of Arielle,  
And moved the hand of Arielle to write him.  
'Twas plain enough these two had weighed his life,  
These two together; he could fancy it:  
At night together talking when they read  
The evening paper with the latest news  
Of Elenor Murray's inquest. As this aunt  
Had written him of Arielle's widowhood,  
And all her history from a little girl,  
True was it she had told to Arielle  
What he had lived. For Arielle wrote him:  
"Most everything about you, of your youth,  
Your schooling, shall I say your sorrow too,  
I know—and I admire your life." He wondered  
How Arielle felt about this. If at first  
Her sympathy was stirred because he lost  
A woman twenty years before, what now  
Stood in her thought as final mind result,  
As judgment, feeling that this early love



## THE FATE OF THE JURY

Had run away to France, and broken faith;  
And there had met disaster of some sort  
With a heartless maestro in a lawless bond?  
For this and for his years of sorrowing  
Did she admire him more? How would he feel  
If she had been discarded in such wise? „  
Would he be prone to love her more? Would love  
Breed pity, and then fool itself as love?  
But when the flesh of love had shrunk away  
Around the bones of grief which flesh concealed  
What, saving pity, or perchance contempt  
Would enter at the eye? So he was sure  
Such knowledge in the hand of Arielle  
Fortuned him nothing. And if Arielle  
Were a wag, a laugher, as his aunt had said,  
Would she be serious about his grief?  
Rather his secret known to her would give  
Her mood a certain mastery over him,  
And place him on a level with her eyes,  
Not looking up to eyes which never knew  
Defeat. But then such subtleties of life  
Would wither in the actual, hardy days  
Of married interests—surely. For himself  
If Arielle became his wife, and rode  
About those great three thousand acres near  
Starved Rock, amid his cattle; if she sat  
With him at night among his treasured shelves

## THE FATE OF THE JURY

Of books ; if they shared duties, joys, and hopes ;  
If they had guests, or traveled ; if the days  
Won them together, bound them in a health  
Of clear eyes for the real, and steady wills  
For stuff of flesh and blood—if all of this  
How should he care about her husband dying  
Suddenly in a brothel, and who left  
This spirit beautiful, this Arielle,  
As Cynthia described her, this young wife  
For ways like these ? Yet Merival reflected  
The caring might depend on why he left,  
And whether Arielle was such a woman  
Who in some manner hurled him into shame,  
And shameful death ; or whether she was song  
Out of a rhythm, sense of beauty, soul  
All beautiful, who knew the errant ways  
Of her young husband, and forgave them, gave  
Her constancy no less. Then did his body  
Lie in her wondrous library, beneath  
The dancing muses (all this Cynthia wrote him),  
A purple robe thrown over it, where she laid  
Her sunny head ? Did Cynthia fancy this ?  
What picture was the truth for Merival  
To care or not to care about the past  
Of Arielle ? But surely it was true  
That Cynthia had run to sentiment ;  
And was she even judgment clear to say

## THE FATE OF THE JURY

That Arielle was beautiful as a spirit  
And Elenor was not, whom Merival  
Saw beautiful in part with all her faults?  
This Arielle had faults, for him to find;  
That must be so, thought Merival. And thus  
He canvassed all the matter on the train,,  
And with such knowledge sped to Arielle,  
Who waited him, half knowing Merival.

She looked in closets at the snowy piles  
Of linen, napery, at her shoes in stocks,  
Her furs in bags, her dresses hung with care,  
Her hats in boxes, all the ordered thrift  
In which she kept her cherished ownerships;  
She walked her rooms half smiling to herself  
For thinking of this Merival; through her hall  
She loitered where the April wind was tilting  
The picture frames upon the wall; she took  
The vine in hand with delicate delight,  
Which last year like a hope had almost come  
Over the window sill and entered in  
Her room of books; she strayed upon the lawn  
To scatter crumbs among the lively fowl,  
And where the robins and the thrushes came;  
She frolicked with her dogs, and hugged Arno  
The great police dog, whispering in his ear  
That company was coming; and she clipped

## THE FATE OF THE JURY

The dead tips of the box along the walks,  
Or wandered to the kitchen where her maids  
Were busy baking cakes, and dressing fowls;  
And from the kitchen to the cellar going  
She took her flash light better to see the age  
And brands of precious wine; she draped with cloth  
Of gold the grand piano, the cloth she bought  
In China, and she laid her music out  
Selected from Liszt, Schubert, and Chopin  
To be in readiness for her friend Helena  
Whom she had asked to come and play for her—  
For Merival rather; and all this sunny day  
Of long lived hours she sat and stood and walked,  
And rounded her inspections, straightened spreads,  
Changed pictures, emptied vases of dead stems,  
Put books upon the stands, then changed her mind,  
Replacing them with others; then returned  
To the kitchen once again to overlook  
The dinner being cooked, and glanced the clock  
Whose hands were moving to the hour of six  
Which brought the train and Merival, for whom  
This day was spent in waiting. When she heard  
The whistle sound she hurried up the stairs  
Better to look across the vacant space  
Where Cynthia lived, and see this Merival  
Walking to Cynthia's door; or pass across  
The lawn and leave the taxi at the gate.

## THE FATE OF THE JURY

So standing at her window where the vine  
Was stretching green to grow across the sill  
She stood and waited; and after hours it seemed  
A taxi sped the gravel to the porch  
Of Cynthia's house. She saw a man alight,  
Help Cynthia from the taxi, pay the man,  
And carrying his satchel walk with her, "  
Enter and disappear. But she had seen  
Something, a pause, a tangle of missing hands,  
It seemed he dropped his satchel, or it seemed  
That Cynthia tripped, or lacked the helping hand  
Of Merival, and swayed until he caught  
Her arm—'twas something brief and swift and gone.  
Then Arielle turned and dressed for dinner, while  
Aunt Cynthia and her nephew across the way  
Talked of a thousand things in eager haste;  
Until at last Aunt Cynthia took his lapels  
And gazing in his eyes importunate  
Said, "You are weary and your face betrays  
Anxiety and labor. You must stay  
These many days with me and rest yourself,  
Walk in this lovely country with Arielle,  
Throw off old care and be a boy again—  
Oh, what a chance for happiness is here!  
Now dress for dinner, served at seven o'clock;  
And do you wake your mood of humorous words,  
And brighten Arielle's dinner which she gives



## THE FATE OF THE JURY

To honor you and bring you happiness."  
So Merival promised; and soon upon the porch  
Of Arielle's mansion Cynthia rang the bell.

Now Arielle watching from an upper window  
Saw them approaching. Well she marked the breadth  
Of Merival's shoulders, all his height and brawn;  
And how he strode, how with a rhythmic swing  
He lifted feet; and she was wondering  
What frost or snow along his temples lay,  
She knew his age from Cynthia. Then she thought  
How often at the first a face had seemed  
Almost perfection, like a Byron face,  
But in the true analysis of eyes  
Which tried to keep the Byron face, became  
By just the dreamed similitudes so less  
The face imagined, as they stood against  
What was not Byron's, and even made them less  
The resemblances. How would his face emerge  
After the first impression? Then the bell  
Rang and she stood until the maid should come  
Announcing them; while Merival and his aunt  
Entered the drawing-room and awaited her.  
Now Merival was sitting full in view  
Of the spacious stair, and watched for Arielle.  
Soon he beheld her stepping gracefully,  
And caught a glimpse of sunny hair; and then

## THE FATE OF THE JURY

Reaching the last step Arielle hurried in,  
And amid the words of introduction gave  
Her friend a hand, and Merival a hand,  
And laughed her welcome with a voice which shook  
The heart of Merival, and with her eyes  
All laughing-light and gentleness she said, ..  
"So you are here at last—we are so glad."

Now at the dinner Merival by the wine  
Keyed to discussion said to Arielle:  
"What made you write me that I needed lifting,  
A spiritual uplifting, when those days  
Were given while I canvassed Elenor Murray's  
Life, and so doing probed America,  
To find what ailed it and what could be done?  
Is that not spiritual? Or did you mean  
It had no flavor of the spirit in it?  
For I confess that any little Atlas  
Who holds the world upon his shoulders may  
Groan, curse the task, and lose his spirit so;  
And you can say that inquest for the time  
Was holding up the world. One thing I loved  
In your letter: it was that frank and sweet confession  
That you leap over social rules to write  
And speak your mind, and that by doing so  
You have made many friends upon the way.  
I quote your words, 'So many friends I've made

## THE FATE OF THE JURY

By searching out and asking. Why delay?  
Time slips away like moving clouds, but Life  
Says to the wise make haste. Is there a soul  
You'd like to know? Then signal it. I light  
From every peak a beacon fire,' and so on—  
My verbal memory is 'very good  
For what I prize, or choose to memorize.  
Oh yes, you wrote that I could teach you—what  
Do you now say that I can teach you?" Then  
Laughing she said, "We cannot map a course  
Of study while you're jesting, drinking wine;  
To-morrow or the next day or the next  
We'll give it thought, when Cynthia can spare  
Your presence for a walk, a drive, or tea."  
And saying this she studied out his face,  
How large and luminous his eyes were, how  
Shapely and strong his nose, how full his brow,  
How generous his mouth. And what was here  
To weaken or submerge with lesser grace  
The whole, magnanimous and beautiful?  
Would not this first impression gather proof  
That it must be the last impression too,  
Tested in many lights, and by what turns  
Of head, of profiles, by what change of mood?  
So thinking Arielle said, "I understand  
That in this inquest witnesses deposed,  
For I have read their testimony. But

## THE FATE OF THE JURY

What do the jurymen to each other say?  
You must confer. Or better what do you  
The coroner say? What did you say, in fact?  
You had a chance when answering my letter,  
Which now you quote, to write of Elenor Murray,  
And tell me what you thought of her. It's true  
That woman and her strange career have taken  
My wonder, speculation. And you must  
Have intimate opinions based upon  
Intimate proofs. You'll tell me will you not?"  
And Merival replied, "Perhaps I can."  
So they arose from dinner. And Helena  
Played for them, and at last when Arielle  
Renewed her importunity Merival  
Began as follows:

"What I learned and saw  
From tracing out the life of Elenor Murray  
Was how each life affects so many lives.  
It made me gasp, it seemed the wonder thing  
About the woman as her life was probed,  
Strange, mystical and pointing to some truth  
Too deep for men. Why how would I be here  
Except for Elenor Murray? After years  
Of silence from Aunt Cynthia she writes  
Me, spurred on to do so by this inquest,  
Seeing your interest in this wonder thing

## THE FATE OF THE JURY

Of the hour, this tumbled backwash of the war.  
So I am here as one of the effects  
Of Elenor Murray, the little nurse who died,  
The poor, starved, passionate ruin of LeRoy;  
And being here, there are other things to be,  
And what, who knows? But save for Elenor Murray  
I might not be in life. For when the word  
Came that her body had been found, I stood  
In the very act of starting for the lake,  
With chums who went, and one did not return:  
The boat capsized and one of them was drowned;  
That might have been myself, or all of us,  
Who knows? It's clear that my escape was made  
By staying in LeRoy to hold this inquest.  
But of one sequence there's no doubt at all:  
This inquest roused such animosity  
That I shall be the coroner no more.  
I have been served with notice that I'm out;  
And also that my hope to go to Congress  
Is blasted by some bosses, newspapers  
Who say this inquest proved that I am not  
The stuff whereof good Congressmen are made.  
So barred from Congress which will lead to what?  
God only knows, and being here instead,  
Which will lead where God only knows as well,  
All flows from Elenor Murray. As to what  
We men who held the inquest said apart

## THE FATE OF THE JURY

From witnesses and the public, it would take  
A room of books to hold it. Much was trash,  
Just as some jurymen were given at times  
To utter rant or empty platitudes.”  
Then Arielle said, “That was ingenious  
For you to try to take a spiritual census  
Through Elenor’s inquest, of America.  
Did you succeed, and if you did, what is  
The final word, what is America,  
And what is needful for America  
To do in order to perform her part,  
Achieve her rightful destiny and go on?”  
And Merival replied, “Perhaps I’ll give  
A lecture sometime, try to predicate  
What is the matter with America,  
And what remains for us to do for her.  
Just now it seems enough to say that waste,  
Waste of life force, of men and women, halts  
A faster progress, just as Elenor  
Was so much waste, no matter how she strove.  
As I said to my fellows of the inquest  
We need to work a science out with which  
To use, not waste all human energies;  
A science which will handle wonder, love,  
And curb or well direct hate, fear and strength.  
For I could see, and all of us could see  
That Elenor if fortunèd at the first

## THE FATE OF THE JURY

In love, had grown to happiness, success;  
And being luckless in her first attempt  
Went straying, struggling, trying all her life.  
So do we all, perhaps. And few of us  
Have any one, or any book to guide  
Our way when we are headed toward results,  
This good, that bad. But then I must confess  
I felt at times that Elenor lived a life  
As good as many, or as any maybe.  
Her case so much increased my skepticism,  
And made me resurrect old speculations  
On proofs of immortality, to illustrate,  
Where, as you know, the proofs are paralleled  
By just as many proofs that death's the end;  
Or God of whose existence there's as much  
Evidence and no more that He is not;  
Or to come down to nearer things, to man:  
Looked at one way he is a flat defeat,  
And at another quite a fine success;  
Or life which can be argued as an evil,  
Or argued just as well as something good;  
Or there's America, so materialistic,  
So heedless, vulgar, cruel, selfish, savage;  
But seen another way with her inventions,  
Philanthropies, and comforts, beauty too,  
Seems half divine and climbing to the light.  
It looks as though a devil soul has caught



## THE FATE OF THE JURY

Our minds between these rich antitheses,  
Which neutralize each other and prevent  
Belief from taking us who canvass both.  
We can shut eyes to those we wish to doubt,  
And thereby have conviction based upon  
The column with the figures that we choose.  
We can be optimists, to make the point,  
By blotting out the column written red.  
But if we scan both columns we confess  
We can't arrive at any truth with minds  
So impotent and baffled by the proofs.  
Faced by this double entry bigot souls  
Deny the double entry, see their truth,  
And by denying thus and seeing thus  
Grow fiercer in conviction, and become  
Great haters, great fanatics for the good,  
For progress of the world. Meanwhile the eyes  
Which see both columns, cannot be so sure,  
And being doubtful cannot map a course  
With wills and hopes unnerved by seeing both  
The thesis and antithesis. Why should the world  
Be ordered thus, which gives the lesser minds  
Advantage for the time, and being piled,  
Perhaps for all time, lauds the triumph too?  
Well, in a word I don't know Elenor Murray  
After these weeks of canvassing her life.  
I don't know whether 'twas good or bad, in truth

## THE FATE OF THE JURY

I don't know whether her life was waste or not,  
Though thinking it was waste. But here to-night  
She seems an actress in a play, who trod  
The boards with zest, and made her part a thing  
For long remembrance. Maybe there are gods  
Who write such plays, and then assign the parts,  
And watch the playing. What is back of gods  
As need, or reason, use who run the world  
In such a fashion, while the players win  
A moment's ecstasy and years' regret,  
And gods win what, and to what ultimate end?"

So ranged the talk of Merival as Arielle  
With rapt attention listened, and the while  
Studied him, and assayed his face and heart.  
Then there was music, and with the evening gone  
Aunt Cynthia with her nephew wandered home.

Next day at ten o'clock with Arielle  
Merival set forth upon a tramp.  
Along a street becoming a country road  
They left the town, and wandered down a hill,  
And crossed a bridge that spanned a creek, then up  
A hill where they could see the meadowlands;  
Then coming to a wood of oaks and elms  
Where sheep were pasturing they climbed a fence,  
And strode athletically for a mile or so;

## THE FATE OF THE JURY

Till amid hills, and on a hill which looked  
Upon a little lake they found a log,  
And sat, and rested, listening to the wind  
Of April which was shaking blasted stalks,  
And racing clouds across a vernal sky.

Here seeing in the eyes of Arielle  
The passing clouds, and how the April air  
Had flushed her cheeks, and how despite the test  
Of heaven's discerning light her beauty stood  
Unanalyzed to any fault, he sat  
And felt the kindling flame within his heart  
Warm like a peace, and thrill with hope which said,  
"This Arielle, this woman is all true,  
Not like that woman of the long ago  
Who died in France, after she ran away  
From you." And with closed eyes against the wind  
To shut the grosser seeing of the day,  
And win the finer seeing of the dark,  
So better to get the image of this woman,  
And enter to its essence, Merival  
Mused, murmuring that the walk and air,  
This scene of peace, this change from recent days  
Of the troubled inquest, had induced a mood  
Filled full with happiness. Quietly he spoke  
Thus and put forth his hand to find her hand,  
And finding it enclosed it, folding up

## THE FATE OF THE JURY

Her fingers softly in his palm. She looked  
Steadily at his face now, free to gaze  
By his closed eyes with greater scrutiny,  
And saw a weariness along his cheeks,  
And something of a sorrow in the lids  
Which seemed like memory lost in quietude.  
Now she remembered what Aunt Cynthia  
Had told her of the woman dying in France,  
And how he grieved about it. How to bring  
Some further word from Merival touching this  
She planned, and to ensure it asked him now  
To tell her how he spent his days, and what  
He read, with whom he fellowed, how he played  
To pass the time, and what the years had been.  
To which he answered, "Well, you wrote me thus:  
'Most everything about you, of your youth,  
Your schooling, shall I say your sorrow too,  
I know, and I admire your life.' " "Quite true,"  
Said Arielle, "and yet can one be sure  
That a loving aunt, a little mystical,  
And prone as women are to sentiment,  
Stuck to the truth as closely as you would?"  
Now Merival not opening his eyes,  
And with his hand still holding Arielle's hand  
Concocted answers, as his wit divined  
How curious she was, divining too  
Beneath her quest of knowledge of his days

## THE FATE OF THE JURY

Just her one interest, centered in this woman  
Who died in France. And thus he said to her:  
"You want the facts—about this woman, too.  
Well, first the world must have its pleasing myths,  
Its spectacles of grief to feed upon;  
And what the Romans with their circus did  
The world does right along with its desire  
For tales of men who suffered, and who failed.  
There is a happiness in hearing such;  
And human cruelty is like a claw  
Which catches what the human heart must have  
As nutriment. But it's imagination  
Which gives the taste desired to what is caught.  
The taste is in the mind of those who feed.  
By which I mean specifically, no man  
Grieves for a lifetime for a woman's loss;  
It never happened. Petrarch, all the rest  
Are pleasant myths. I say this though confessing  
That thwarted love may be like some disease  
Which builds up antibodies and prevents  
Recurrence soon, and yet recurrence comes.  
But you can say the man will suffer change  
And suffer in a thousand ways, without  
Saying that for his lifetime he will grieve  
About a woman lost. As well to say  
That he will brood about his suffering  
When ill, and suffer brooding all his life.

## THE FATE OF THE JURY

These things are all analogous. As for me  
I don't deny that I was changed and made  
To think in altered ways. What smallest thing  
Lacks its effect through all the course of life?  
But that I sorrowed, that I sorrow still  
Is quite absurd, and being with me here  
You know it is." And then he looked at her,  
And saw her laughing eyes, which blinded him  
From seeing what her thought was. Then he said:  
"Aunt Cynthia wrote me all about yourself;  
And you have suffered, but the wound will heal.  
You may be changed, but still an altered self  
Can laugh, be happy—you are laughing now,  
And you have happiness, and have had it since  
This thing which changed you."

"Yes," said Arielle,

"My life is happy, and despite this thing  
Which shadowed it, I have had happiness.  
I would not have it otherwise, for thus  
I should have blamed him, and I dared not blame.  
I kept my thought upon the beauty which  
Was his, his heart so really generous;  
And he showered gifts upon me, goodness, too.  
I made myself believe some sudden mood  
Possessed him, overmastered him before  
His realest self could guide, command his hour.

## THE FATE OF THE JURY

I think of him as racing Arno-like,  
And in the impetus of the chase as falling  
Among a nest of wolves, or in a pit.  
He did not mean disloyalty to me."

Then Merival looked up at Arielle,  
And said, "I do not understand at all  
How he could be so."

Suddenly he saw  
A coiling light, a stare in Arielle's eyes,  
As if another mind illumined them,  
Or other eyes had put away the old  
To speak the mind that was another's mind.  
And a light smile half twinkled where her lips  
Turned at the corners, till the dimples sank  
Midway the cheeks, and merriment like a flame  
Which glimmers in a sunglass, took her eyes.  
Something went through the heart of Merival  
Beholding this. But when he tried to search  
Her eyes' recesses filaments opaque  
Descended like successive curtains, and hid  
What figure let them down. Such retinal  
And striate hues, or cirrus haze confused  
With sparks of light her steady look at him  
That Arno's eyes or Boy's no more could hide  
With just a strange bright surface of a stare  
What was beheld beside the actual thing;



## THE FATE OF THE JURY

And seeing this he wondered what she saw,  
As often looking in the eyes of Boy  
He sought the image on such retinas,  
To learn if it was that of human eyes.

Then Merival without the obvious probe  
Of questions, said eliciting by a tack  
Of indirection, "More and more I see  
That what we are for life is made before  
We come to twelve, or maybe ten years old;  
It's so with me." And Arielle rejoined,  
"Oh, that is true; but thinking of one's self  
One wonders just what habit, trait of thought,  
Or feeling is related to what event  
Or circumstance, or kind of daily breath.  
I know this much: that out of my mother come  
All undertones in me. When I was born  
She lost her health and never again was well.  
And I don't say my father was unkind;  
I feel he might have shown more tenderness.  
But more I shall not say, it touches me  
Too sacredly to talk about. I know  
That from my childhood on my mother filled  
My heart with sorrow, meditative mood.  
I can relate some happier things. You know  
My birthplace was Virginia among the hills;  
And when I was a little girl I knew

## THE FATE OF THE JURY

A girl named Mary, first at school and then  
In play around her father's yard, who lived  
In an old house high on a wooded hill.  
They called her father judge, for on a time  
He had been judge, or as a lawyer held  
Court for the judge as deputy. I think  
That can be done. But anyway the father  
Of Mary was an old man, white and bent  
When we were little girls. He used to climb  
The hill so slowly going into town,  
It hurts my heart to think of him even now,  
Day after day climbing the weary hill  
To reach his office where he practiced law.  
Now Mary had no mother. Perhaps as mine  
Was much away for treatment, we were drawn  
By the like fate more closely to each other.  
But as the years went on it still was true  
Our fond attachment grew. We're here together  
Looking upon these green Wisconsin hills  
Because of Mary, though your Cynthia  
Aroused my interest in your work and life.  
Yet I am sure I never should have written  
That note to you, except for Alma Bell  
Who loved, somehow too strangely, Elenor Murray.  
So in this way does Elenor Murray send  
Your boat to mine to drift a day or so  
Beside my boat."

## THE FATE OF THE JURY

Then Merival spoke between  
Her words to ask, "Did Alma Bell remind you  
Of Mary; do you think they were alike?"  
And Arielle said: "Of course I couldn't say.  
But this was it: This inquest seemed to smudge  
The fame of Alma Bell, for nothing more  
Than loving Elenor, just as Mary loved  
Me as a girl to early womanhood.  
And knowing what such love is, that it's free  
Of the taint which baser minds would put upon it,  
I hated all the men, who uttered hints  
Which crept like tiny serpents in the press  
And hissed their doubts, and sprayed with poison too  
The name of Alma Bell. Coincident  
With all of this, news comes to me of Mary,  
After these fifteen years of ignorance  
Of where she was, or even if she lived.  
Her older sister died in Idaho,  
And that was published in the little sheet  
Of my home town; and at the last it said  
That Mary was an invalid, and had lived  
With this good sister who had died, whose skill  
As a physician, too, these many years  
Prolonged the life of Mary. So I sent  
Money to Mary, and now we write again.  
Wasn't it strange that I should find her thus  
While Alma Bell from long obscurity

## THE FATE OF THE JURY

Emerged to clear the name of Elenor Murray,  
And wrote that letter to you as coroner?  
Well, to return, those days were happy days  
With Mary, and the rest, her father too,  
A man so kind, so helpful, generous.        ,,  
He had a house that rambled up the hill,  
With great oak trees around it at the front;  
And we had hammocks. But the best of all  
Were the unending books in an old room,  
Shelved to the ceiling; for the judge would read  
His Pope and Dryden and his Addison,  
While we were racing, playing blind man's buff.  
And when he saw that I was fond of books —  
I had no books at home—he took me up,  
And led me in the ways of books. At last  
I read Pope's Homer, Goldsmith's plays, besides  
Locke's essays."

"And so that is what you meant,"  
Said Merival, "when you wrote me that being ripe  
For a certain book, the book miraculously  
Turned up through some one. Something else you wrote,  
That I could teach you something, being versed  
So much in life. I doubt it."

"Oh you can.  
You are so strong, so seasoned, and I see  
That you are what I fancied you before

## THE FATE OF THE JURY

I saw you here. A woman wise, or one  
Striving for wisdom and for mastery  
Would feel her strength augmented by the thought  
That she could call you friend with certainty  
Of admiration given her for what she strove  
To do and be, with which her interwoven  
Approval of your faith in life and work  
And human love, and your democracy  
Would compact strands, and make them firm and fast."  
Now saying this Arielle leaned her head  
Nearer his shoulder, till his cheek was touched  
By the trembling tendrils of her hair. And he  
Brought with an arm her brow against his chin,  
His lips against her brow, and pressed her shoulder,  
With tenderness against his own. And while  
Shaking and pressing her with mischievous growls  
He said, "Well, how is Mary, tell me more  
About her, of yourself, and how you came  
To leave Virginia, and to settle here?"  
"When I was fourteen," Arielle resumed,  
"My good aunt in Chicago sent for me.  
By this time father was a rattled wreck;  
He didn't drink, he had anxiety,  
My mother, everything; he couldn't solve  
The money matter. My brother had flown off  
To work his way through school. And there I was  
In rooms that fronted on a business street

## THE FATE OF THE JURY

Over a candy shop, there in that old,  
Lonely and desolate Virginia town,  
Keeping those rooms, and cooking for my father;  
Helped sometimes by Old Rachel black as tar,  
Whose eyes were rimmed with nacreous encroach,  
Whose teeth were out, who gasped for breath, who spoke  
About my mother, and told me strangest things  
About the days of slavery. It was now  
That father went to Richmond for a time.  
Old Rachel came to stay with me. And soon  
My father wrote that he would not return,  
That he had found a business chance—to come  
And live in Richmond, where the schools were good.  
Just now as well Mary was teaching school.  
Her father with all that climbing of the hill  
Daily to potter with what law there was  
Could not make out, and Mary started forth  
At sixteen years to earn her living. Now  
You see how Mary, I and Elenor Murray  
Had wings to fly as early as the nest  
Was shaken down by storms. All in a trice  
The happy days were ended; all our games  
There in the yard around the hilltop house;  
Our evenings when her father read; our walks  
About the country—all gone, forever done,  
Swept off like clouds. So on a winter night  
After I wrote to my father about Chicago

## THE FATE OF THE JURY

I wandered to the country, and stood for long  
By an old bridge that spanned a little stream;  
I stood there listening to St. Andrew's clock  
Strike hour by hour, until the stroke was ten.  
Then I came back, and clambered up the stairs  
Along the outside of the building where  
We had those rooms, and entering in the dark  
Heard Rachel croak, who made a light for me.  
Next day I left just as St. Andrew's bell  
Was tolling ten, thus tore myself away  
From Mary whom I did not bid adieu—  
I wrote a note."

Now Merival stared her eyes  
Remembering what Cynthia had written, how  
When Arielle was a child her father died,  
Leaving a modest fortune to a widow,  
Arielle's mother, also other children;  
And how the mother went to England where  
She took a second husband, who was mad,  
Who tyrannized the household, whipped the children;  
And how at fourteen Arielle ran away,  
Came to America and Madison,  
And taught school in the country, much the same  
As Elenor Murray did.

So Merival said:  
"Aunt Cynthia did not write me what was true?"



## THE FATE OF THE JURY

"She wrote you what I told her. It was true  
I ran away, though not from England; and true  
That I taught school near Madison; and true  
I took a trip to England, earned myself;  
There met the rich young man who married me;  
And true he died as you have been informèd;  
And true that now and always I have helped  
My mother, even my father, more of late.  
All true; but girls romance, and I was prone  
To fictionize at first with Cynthia,  
Especially as I have things at heart  
Not to be told to any one—save you  
Sometime, not now. So let it rest for now.  
I didn't write to Mary after I left;  
I closed the book. For it was just a month  
Of living with this aunt there in Chicago  
That I could see I could not stand her ways;  
So once again I disappeared. Some one  
Told me of Madison. And on a day  
I stole off to the station, took the train.  
Amid such changing scenes and mutable moods  
I had no heart to write to any one.  
I did not write my father. Long ago  
The judge who climbed the hill was in his grave;  
And as I said I never heard of Mary  
Until this inquest. So with all the rest,

## THE FATE OF THE JURY

My mother, father, and these orphaned children  
In Madison, whom I help, my monthly checks  
Include a check to Mary. Now you know  
Everything as it is. And if there's aught  
That has been twisted in your life's report,  
Which you would straighten, do it as you will."

Now Arielle stood up, and laughed the flame  
Of merriment in her eyes, which seemed again  
The glimmer of a sunglass. Straying a little,  
He rose to join her. Stepping down the hill  
They entered a hollow where the brooding spring,  
The nesting bird of procreate life, made still  
With the passion of creation all the land.  
Even the crows flew to the wood beyond  
Without a call, and all the budding trees  
Were tranced in light. They coming to a log  
Which bridged a brook, he guided her ahead  
With arms about her neck. And once again  
They walked the road, and entered at her house  
For luncheon, with Aunt Cynthia debarred,  
But telephoned to save her waiting him.

Thus happy days went by, two weeks elapsed  
With Merival paying court to Arielle.  
Passing from first impression when she seemed  
Some one long known, familiar; then with change

## THE FATE OF THE JURY

Of face or mood, and with the change her loss,  
Transformed into another. Yet at last  
He had conviction that he fathomed her,  
And knew her inmost nature, which seemed good,  
Gentle, adorable, all that Cynthia  
Had praised her for when writing him. At times  
Life's long deferred Elysium seemed his  
With Arielle as his wife, and that great house  
Of his made luminous by her smile, with life  
Stretched on to peaceful sunsets, on to days  
Of children toddling, wandering his fields,  
Or racing cunning ponies to be bought.  
Joy past belief, and yet such days could be!  
But when his very lips were framed to speak  
The word of marriage something held him back;  
This caution was it, out of philosophy  
Which lives the future by analysis  
Before it comes? Or was it he would know  
What Arielle's mother was? Of what import  
Was Arielle's mother either way? Again  
Would Arielle come with him, or would she will  
That he should live with her at Madison?  
For he had noticed something like a spring  
Wind tight and harden in her from the slack  
Of sweet complaisance, and was it will,  
That woman's will less wise as it is tense  
And unsubduable?

## THE FATE OF THE JURY

Yet upon a night  
When he had come for dinner, Cynthia  
Having declined with purpose to advance  
The wooing, while they stood and talked and touched  
Glasses of Scotch before the meal, he saw  
That look inscrutable come in her eyes.  
First he had asked her to become his guest  
There near Starved Rock, with Cynthia, his aunt,  
And Arielle consented. Then the words  
Of marriage paused along his tongue, and rapped  
For exit at his lips. But as they rapped  
Her eyes' recesses blurred with filaments  
Let down like curtains, and a cirrus haze  
Confused with sparks her steady gaze, until  
The strange bright surface of a steady stare,  
Which seemed to see what Arno or what Boy  
Would see, becalmed him like a sorcery;  
And he was speechless. Suddenly Arielle  
Flung passionate arms around him, took his lips  
With long drawn kisses, and as suddenly  
She danced away and laughed. His resolution  
Came up to be appraised anew. For seeing  
That Arielle was his, if so he willed,  
He reinspected what he had resolved  
In those first days after Cynthia's letter,  
When he as idealist dreamed of Arielle;

## THE FATE OF THE JURY

And on the way when hastening to her.  
For what he had resolved was knightly care,  
No yielding to the passion of a moment,  
No repetition of the course which led  
To doubt, dissension, all the weary fate  
Which with that woman who had died in France  
Had tortured him, and even perhaps had joined  
With other things, her nature, to destroy  
Their happiness and faith. Now he could see  
Better since probing Elenor Murray's life  
How the reality of marriage where  
No marriage is, no living side by side,  
Sets loose repelling currents, binds with flesh  
Affined, but by relationship achieved,  
And made familiar opens eyes to see  
A nakedness, which cannot be confessed,  
But must be hidden, both for what it is  
In honor of its serious sanctity,  
And what it should be by a mutual life  
Which does not tear but builds. So he had thought  
This resolution through, and visioned her  
His bride, for whom he opened a courtly door  
Of life to be, and welcomed her to him.

But with his visit ended Merival  
Came for the last to dinner, and Cynthia  
Sat with them till the hour of ten, then left

## THE FATE OF THE JURY

The two remaining hours to these alone,  
Until his train which came at twelve o'clock.  
With Cynthia gone they turned to wine again  
To stay the dying of the dinner wine,  
And flame again their spirits. And thus it was  
With all the signposts darkened on the way  
Which steadied prudent steps for Merival,  
He wandered round and round, with just the sight  
Of Arielle and her beauty, like a flame  
Which lighted him and allured, and blinded him,  
To all the pitfalls he had seen by day.  
Then as he loved her, all his chivalry  
Rose with the wine intensified. He asked  
What wedded bliss can be without its fault,  
Its fleck of insufficiency? This woman  
Was all that he was told, was all his dream,  
As nearly as life brings to any man.

He stood before her, and she drew him down  
Beside her, but not speaking; drew him close  
With arms about his neck. And as his lips  
Touched hers at first, and then against her ear  
Renewed in whispers what he spoke before,  
He felt her wilt within his arms, he saw  
Her closed eyes with their lashes, and her cheeks  
Flushed, where a sudden dew, a fragrant mist  
Moistened them. And in blindness he became

## THE FATE OF THE JURY

The meditation of the eyeless mind  
Which withers human will, and self-regard.

Then after a silence while his spirit stared,  
A silence in which his nature was at rest,  
With golden beams in a subtle equipoise  
He whispered his adoring, asked her word "  
To plight their faith. But Arielle with closed eyes  
Lay as if thinking, and no word returned.  
Soon did the striking of the quarter hour  
Rouse him to recognition of the time,  
His train; and in a blur he rose, and caught  
His hat up and his coat, his satchel. Then  
With a long kiss of tenderness he fled  
Forth to the darkness, and in the lighted car  
Scarce in possession of reality  
He sat, and saw the lights of Madison  
Sailing away. Then crawling to his berth  
He slept a troubled sleep of tangled dreams.

That afternoon he rode for many hours  
Inspecting fences as a subterfuge  
For being out of way where visitors,  
Or even managers, or help could spy  
Upon his self-absorption. For with day  
To bring him thought which tested memory  
Of every minute of the night before,



## THE FATE OF THE JURY

He frowned perplexity of the path ahead.  
He muttered to himself, "Why, at my age  
A wife, with all my life already made,  
And with a woman whose life is made as well.  
Tsch! Tsch!" And on he galloped. Then he weighed  
His duty. Duty! Delusion it might be.  
What could he do for her or fail to do  
To mar her life? Nothing! Her love betrayed;  
But how? Her love made unreciprocal—  
Yes, if she loved him. Was he sure of that?  
No, he was surer that he loved her. For  
He knew that she could bear the separate days  
With calmer spirit than his own. In truth  
She would go on with life, with much to do,  
With much to interest. If he never crossed  
Her path again she would forget the days  
That they had lived. Such truth was written fair  
In all experience. Therefore at the last  
In this bright lighted searching for himself  
He found himself to be the soul at stake,  
Unless she had been won by realest hopes  
Of human flesh to spiritual desire  
For a friend, he being chosen; for a mate  
He being taken as the long delayed  
Ideal of her life. So Merival  
A little fogged, and with a head that ached  
At the base or forehead vaguely, rode along

## THE FATE OF THE JURY

Till sunset. And at last when going home  
This Alma Bell flashed in his mind, and how  
That woman's life had laid its fascinate spell  
On Arielle. So wondered he too of Mary;  
Then Arielle's mother. So his restless mind  
Mongering for secrets pricked him on. And now  
If only he knew the maiden name of Arielle  
He could go on to Richmond, see a friend  
Who would find Arielle's father, by some way  
Approaching him the village ascertain  
Where Arielle was raised. Find also there  
Where the mother was. How did he miss the chance  
Of learning there at Madison that name,  
The name of the village? Now he could not write,  
Or how and get them? Not to Cynthia  
Who, if she knew would run to Arielle  
And tell that he had made such inquiry.  
Well, should he let the days to be disclose  
From Arielle, or Cynthia, all the truth?  
To have those days with Arielle would mean  
Proliferate tendrils of that window vine  
Which Arielle had shown him, entering  
Soon to her room. And thus when he had learned  
What he would know its use would be a mock  
To Merival, bound fast and overgrown  
With Arielle's hope—or even his own desire  
Helping constriction with a reckless growth.

## THE FATE OF THE JURY

Next morning his rested streams of life swept up  
Something he overlooked the night before.  
Soon as he opened his eyes, his memory spilled  
And put into his hand what Arielle said  
When she was talking once about her marriage;  
She said that they had fled from Madison,  
Gone to Chicago where the city clerk  
Pronounced the words. If so the license record  
Would give her maiden name. So Merival leaped  
Out of his bed, excited with the plan  
Of rushing to Chicago.

At his plate  
Were letters, one from Arielle, who wrote  
How April grew more beautiful, about  
Arno and seeing Cynthia; through it all  
A vagueness wound. And she had said at last  
"Cynthia sends her love in which I join,  
Your visit gave us greatest happiness."  
So Merival wrote a note to Arielle  
And hastened to the train.

Knowing the date  
Of Arielle's marriage, and her husband's name—  
Showalter—so the index book was S,  
Soon was he turning pages, tracing down  
The list of names. And soon before his eyes

## THE FATE OF THE JURY

Stood John Showalter, Arielle Regnier,  
Her residence not Madison, but Wytheville,  
Virginia—so he need not go to Richmond  
To find the village. Well, now should he go?  
A shame took hold of him. Was it to be an ingrate  
Forgetting Arielle's house of feasts and play,  
Her welcome to him, hospitality,  
The confidence she gave him, thus to filch  
With her back turned the secrets which she kept  
Despite the freedom of her talk with him?  
And yet to question her might violate  
Her guarded privacy as much as this;  
But above all to deepen what was done,  
Go on, and even to marriage wholly blind  
To something, seeming serpentine, would result  
In what to her, to him? With all things known  
One's life is better guided. It seemed wise  
To know while Arielle was ignorant  
Of what he knew. And then it well might be  
The trip to Wytheville would be but a fool's  
Errand. There might be nothing. And why not?  
Arielle seemed telling all the truth.  
Yet he must go. His mind would be at rest,  
And all things cleared the wedding day might be.  
But now he thought that Arielle kept silence  
When he proposed. His destiny might be  
Out of some esoteric whirl of atoms

## THE FATE OF THE JURY

Of which his spirit was composed to find,  
To draw once more a woman like the one  
Who fled to France. What did her self-composure,  
And this vague note, in which no heart was poured  
Mean, if they meant not he was justified  
In self-regarding craft, expedients?

Now leaving the city hall he chanced to meet  
Marion, who was entering; and as they talked  
The purple crescents under Marion's eyes,  
And the lapsing languor of his weary flesh  
Struck Merival to the quick. And Marion said:  
"I've almost got my life's confession done,  
During these several nights when I have stuck  
Around the office to keep from going home.  
Dolly is on a rampage, and those rooms  
Which I call home are in a mess of dishes  
Scattered about the table and the sink;  
Also a tumbled bed, which I avoid,  
And swear that I shall never grace again.  
But yet I shall. A dog, you know, returns.  
And I'm not fit to die in a better bed  
Made, as it is by me. Give me a week  
Longer and I shall have my story written.  
Unless some one of you is struck and killed  
I shall be first to go—and glad to go.  
I've tried, and have done nothing. What's the game?"

## THE FATE OF THE JURY

Who cares how much you try, how much you cling  
To truth, an ideal? Are people good to you?  
Do they regard your struggle, come and say,  
'You have been cheated, we will make it up?'  
No, you are loved when you take what you want,  
Grab, wrest it in despite of them, or else  
Get what you want without their help. Why not?  
Isn't it right, the way of God for men  
To gather riches, honors, power against  
The struggles, envies, strength of all the rest?  
And when you fail who mourns, and what's to mourn?  
Easy to show your course was wrong. Or else  
If it was right, less right than those who won.  
Who are the men most noted, most admired,  
Most powerful in example in the land  
Of this America to-day? Why those  
Who as the very sons of Captain Kidd  
Took what they wanted, and now possessing it  
Rule the adoring crowd, to whom they give  
Libraries, galleries and laboratories."

So Marion spoke and turned his way. The train  
Bore Merival to Wytheville.

At the inn

Merival signed a pseudonym on the book,  
Then started forth to find the building with  
The outside stairway, and the candy shop.

## THE FATE OF THE JURY

Pausing before a grocer's booth he saw  
Across the street what seemed the stairway, but  
No candy shop, instead red pumps for oil  
And gasoline by the door; within machines,  
And men who hammered, drilled, and fitted tires.  
The rooms above with dusted windows looked  
Deserted. And was it here that Arielle  
Climbed long ago? Just now the grocer's son  
Came out, and Merival asked him, "Who lived last  
In those rooms there above the garage?" The boy  
Could not remember that the rooms were used  
Ever for living. Merival asked again:  
"Was there a family here named Regnier?"  
The boy replied, "A man named Regnier  
Died here about a year ago. He came  
From somewhere else to lay up and be sick."  
"From Richmond?" "Maybe, I believe it was.  
I know his daughter cared for him for months;  
She traded here." "Did she live here?" "Oh, no,  
She came from somewhere." "Was it Wisconsin?"  
"Perhaps;  
I know she was a trained nurse, so they said,  
Had left some city, work in a hospital,  
To come here to her father." "Was she pretty?"  
"Not very, rather plain, and dressed, of course,  
As nurses do. My father knew Regnier;  
He'll be here at the noon hour."

## THE FATE OF THE JURY

Merival

Turned to the climb of a hilly street with trees  
Thick in the yards of southern homes. With breath  
Fast coming he attained the top at last  
Where stood St. Andrew's church—he read the sign;  
Around the church the stones of ancient graves.  
Here he could see a valley far below,  
And mountains in the distance; at his left  
A house among oak trees in a great yard,  
Where Mary lived, no doubt so long before;  
From whence to this high ridge which walled the town  
Against the country, where St. Andrew's stood,  
Mary's old father climbed, and down this street  
Which Merival had panted coming up,  
He wandered to his office, it must be.  
Now Merival could see a mile beyond  
What seemed a bridge over a little stream,  
Which he had gone to, save for the hard ascent  
Of the return. And while he scanned the scene  
St. Andrew's bell struck out the hour of ten.  
Now for two hours waiting the groceryman  
Merival walked through Wytheville. Passing by  
The city hall, the courthouse, he was tempted  
To enter, search the records, get birth dates,  
Death dates of Arielle's family. What was true  
Of anything she told him? The father dead,  
Not living. And her mother—living or dead?



## THE FATE OF THE JURY

Or married, as she said at first, to a scamp  
In England, whence this Arielle ran away  
To Madison. Perhaps in England still  
This mother lived, and Arielle concealed  
With tangled tales what she conceived to be  
Her mother's dereliction, yes, to hide  
Her tendencies inherited.

With no reason  
Thought out for talking to the groceryman  
About this Regnier, still Merival  
Approached the store, and seeing him a man,  
Too plain of mind, and skill-less to detect  
Any excuse half reasonable, Merival  
Began to speak: "My name is Marigold,  
A lawyer from New York. I represent  
Some people named Regnier whose uncle died,  
And I am here to ascertain what heirs  
Of his are here, if any. Now your son  
Told me about a nurse named Regnier,  
Who came here, nursed her father, but who died.  
Where does this nurse live? Are there other sons,  
Or daughters of this man? I'd be obliged  
If you'd direct me to some one who knows  
If you don't know yourself."

"All I can say  
Is this: His name was Patrick Regnier,

## THE FATE OF THE JURY

I knew him well, and knew his children too.  
They have been gone for years. He came here sick  
From Richmond; and his daughter from New York,  
Or Baltimore, I don't know which it was,  
Came on and nursed him, treated him as kind  
As a daughter could, stayed with him till he died,  
And buried him. No other children came."  
He has a daughter somewhere in the West,  
She's rich, they say—but she left him to die,  
And never came here; but she sent some money,  
That's what they say."

"Did you know this daughter?"

"Of course I knew her. I have run this store  
For forty years right here. I used to see  
Those children climb that stairway over there;  
I've seen her run those stairs a thousand times.  
They used to trade here, and I've carried him  
From month to month, because I knew the children  
Would hunger if I didn't. We called her Rell,  
That one that disappeared. She had a chum,  
The daughter of a poor old lawyer here;  
And these two would come here together with  
Their pennies and buy candy, maybe because  
When they were out of pennies they could play  
On my good nature, and get it anyway.

## THE FATE OF THE JURY

Well something happened. People talk a lot.  
I'll only say that Rell just disappeared;  
And then this lawyer's daughter disappeared.  
We thought she followed Rell. The poor old lawyer  
Went climbing up that hill, and climbing down,  
And never said a word about his child;  
But Regnier came here the very night  
That Rell was missing, told me, every day  
Came in to say there was no word from Rell.  
He was as helpless as a child about it,  
Did nothing, sent no searchers out. Some years  
After we heard that Rell had married rich,  
Lived somewhere in the West, in Michigan,  
Or somewhere."

"How can I find her, find the nurse?"

"Well, let me think. There is a woman here  
Named Walters, Nancy Walters, who is friends  
With Bertha, that's the nurse's name. I think  
They correspond; I know the two are friends.  
She lives right up the street, the fifth house up,  
On this side too."

Then Merival inquired:

"Where was the mother when this Rell ran off?"

"Where was she? Where she is to-day—shut up.

She was insane when Regnier married her;

## THE FATE OF THE JURY

And every time she had a child she went  
Plumb raving; so he'd shut her up. And then  
She'd get her mind back and they'd let her out.  
Queer all the time; but giving birth, you know,  
Set her clear off. And when this Rell was born  
Her case was worse than ever. A pretty woman,  
I never saw a prettier. They called me in  
To be a witness to her lunacy;  
And there she sat in court, so down and sad;  
She took my heart away to look at her,  
She was so pretty and so mournful looking.  
So when they put her in this time she stayed.  
And Rell grew up with niggers, played around;  
A woman called Old Rachel kept their rooms,  
So far as they were kept. And Regnier  
Took jobs along, sold real estate and such.  
A funny story—shows how people live,  
Go to the dogs, or prosper. I must say  
That nurse, that daughter, is as good as gold.  
She didn't owe her father much affection;  
And yet no man ever had better care."

Then Merival thanked the man and went his way;  
Went first to find the record of the trial  
Of Arielle's mother, and found it, took the train  
Back to LeRoy, where letters waited him  
From Arielle. Then he wrote her. Then he sat,

## THE FATE OF THE JURY

In a vexed perplexity, and let his thought  
Go crisscross with the tales of Arielle  
This way and that. Why did she fail to say  
That her father was dead? Why say she sent him money,  
Unless it was to hide her selfishness,  
With words that proved how generous she was?  
This stuff too of her mother's fortune from  
Her father dead long since (and then not dead,  
But dead in truth), the residence in England,  
(The room above the candy shop); no word  
About the sister who had nursed the father,  
While Arielle let him die and never came  
To comfort him. Such things have been without  
A fault too culpable—yes. And he could see  
Why Arielle hid her mother. But those words  
Of Cynthia, "One thing is beautiful,  
And one is not. And Arielle is beautiful,  
And Elenor is somewhat beautiful  
But streaked and mottled." Oh! No streaks at all  
On Arielle! How did he for a moment  
Ignore his knowledge of the human touch  
Which makes all women kin and much alike?  
All that romancing, too, of Cynthia  
Of Arielle's spiritual calm, forgiveness  
For a dead young husband found in a bagnio!  
Does love act so? No doubt this husband learned  
Of Arielle's mother, saw what trap had caught

## THE FATE OF THE JURY

His life, and tore himself against the wires  
Rather than wait for ignominious death  
After long years of tragedy, if not killed  
By Arielle in stealth some sleeping hour.  
"Now here you are," said Merival to self,  
"A man of fifty years, who should be wise,  
Seasoned in will, firm, cruel, who just stare  
The trap ahead, and cogitate about it  
Whether to enter it or turn away!  
Being so much in love, so tortured too.  
Yet here's my life! As my progenitors  
Lived to the eighties, to the nineties too,  
Shall I live so, and go about this place  
In endless uselessness of life so long?  
Or travel—where? Or find another woman?  
Why not the right one now? What does it mean  
That Arielle comes to me, and not a woman  
Like Cynthia portrayed this Arielle,  
Or some one of a fine normality,  
Of womanhood all clear and sensible,  
If not of beauty? Does it mean that I  
Am chosen by the Fate for Arielle's  
Care to the end, and for my own advance  
Along some soul improvement? What's the play,  
What's done with us, what is it will not let  
One's human will plan out and live the plan,  
But always crosses it, makes a sacrifice

## THE FATE OF THE JURY

Of human hope and wisdom, as though it fed  
A Something somewhere, kept a Something strong  
According to its nature, gave it life?"

So day by day riding about his acres  
He thought these things, until he seemed two selves:  
One which could see, reject this Arielle;  
And one which loved her, shut his eyes with love,  
And clasped the fate, whatever it might be,  
With mystical, voluptuous immolation  
For Arielle's sake—what was his life without?  
Meanwhile her letters came, and his were sent  
Daily almost, sometimes with just the thought  
That time might solve what baffled all his wit.  
Plotting his way he wrote to come again,  
And Arielle with a delicate avoidance  
Better to fire his longing wrote delay,  
Smiling to self, "These men of fifty years  
Need stimulation. In this circumstance  
A man of thirty would be at my door  
To break it down—and he—he asks to come."  
But Merival was thinking it would be  
Better to send for her and Cynthia,  
And give them rides and dinners for a week.  
But amid servants and with Cynthia near  
He would be bound to ways punctilious,  
And that must be until he saw his way—

## THE FATE OF THE JURY

Unless that parting night at Arielle's  
Had closed the book of honor—if it had!  
So thinking he wiped a troubled brow. He lived  
A future filled with every uncontrol,  
With every horror from the one mad cause  
Flowing that such predicaments set loose:  
Arielle ill or dying! Arielle mad,  
Incompetent in such case to contract;  
Concealing marriage; mad in a few brief weeks,  
Shorn of a mind contractual—and what talk  
Would seep about the country, although the press  
Out of no death, or beautiful, sad face,  
Like Arielle's mother when she faced the judge  
Found warrant for a picture. Elenor Murray  
Never in all her baffled pilgrimage  
Met greater idiocy of fate than now  
Confronted Merival, or might confront.  
The issue of three weeks of thought's delay  
Ended with Merival writing Arielle  
And Cynthia to come. Now in a week  
They would arrive. But meantime Merival  
Refreshed his mind with other thought. For Borrow  
The sunny pessimist of varied life  
Had died upon the platform while he scathed  
The League of Nations. Merival possessed  
The envelope which Borrow sealed and gave  
His clerk to send to Merival. It contained



## THE FATE OF THE JURY

What Borrow meant to be the realest thing  
He lived, the secret never told in life,  
Something he hid always, could never tell,  
Or had no time to tell, the thing which entered  
The whole mad music of his life, was both  
The undertone and overtone.

So it was  
The jurors of the Elenor Murray inquest  
Once more assembled, there in Merival's  
Library—Winthrop Marion looking ill;  
And Samuel Ritter, owner of the bank;  
Llewellyn George, the antisocial searcher;  
And Rev. Maiworm, charitable in deeds;  
And Isaac Newfeldt, who had studied tariffs,  
Lands, money, economics, social states.  
Then Merival broke the envelope and read:

### III

"My father, following Jesus at the first,  
Turned atheist, and left the ministry  
To work for negro freedom. For the church  
Proved slavery out of Moses and St. Paul.  
So to the ascetics of no wine, no wealth,  
This father added worship of John Brown  
And through the darkness of the underground  
Railroad conducted slaves. His studies ranged  
About the ancient lowly, the laborers  
Despoiled along the years. In science, too,  
He wandered as an amateur, and his rebel  
Spirit relumed itself on Volney's book  
And Paine's, with poverty for self and family  
Resulting, and with lifted brows from those  
Who kept the beaten path of church and state.  
Now I, a fit son of this father took  
From birth his blood, replenished it as well,  
And brightened it in this household air of hate  
For priests and rulers, usurers; channeled it  
To strange mutations, and to Jesuit shifts  
Fitting the circumstance and my rising lusts.

## THE FATE OF THE JURY

"It was the day when tailors and rail-splitters,  
And cradles in log cabins rose to fame.  
So to be plain of dress, uncombed and free  
In democratic manner seemed the rôle  
Of goodness—but of genius better still.  
For from the first I had great confidence,  
Believed myself a genius. I had written  
Prose bits of beauty, and at eighteen years  
I held debate once at the County Fair  
With Gibbs, the veteran speaker, the subject being  
The tariff, and I routed Gibbs. Thereafter  
The people talked about me far and wide,  
About my uncombed hair whereof a lock  
Strayed on my forehead, as Napoleon's did;  
And about my simple dress and winning smile,  
And wonder gift of words and reasoning.  
And of my faultless ways in life, as thus:  
I didn't use tobacco, nor handle wine,  
Nor eat the flesh of beeves or even fowls;  
And I had never known a woman yet,  
But preached that love and love alone approved  
Those rites which lacking love blasphemed the creed  
Of Nature, not of God—there was no God;  
Free love, of course, but love, as Shelley taught,  
And Mary Wollstonecraft, the radical faith  
Of love. Wherefore if you'll believe me, I

## THE FATE OF THE JURY

Came to the marriage bed at twenty-four  
As pure as Galahad.

“Meanwhile my gift  
Of speaking and campaigning won me place  
Serving the city on its legal staff.  
The woman I married helped me study law,  
And urged me to it, and pricked my laziness,  
And read to me, and plagued me with her zeal  
Until I passed the tests. Now at the first  
I served the people. But impatient moods,  
And skepticism of the mob which takes  
The fruits of genius and dishonors them  
Darkened the stupid Zionistic faith  
I learned thus early. What’s the use? Besides  
Remembrance of my father’s poverty  
Loomed bigger as my knowledge of men and life  
Grew in the law. I early learned to vow  
That somehow, yet by honorable ways, I’d lift  
Myself above my boyhood poverty.  
While this phantasm flitted and took shape  
The corporations noted me. They saw  
My baggy trousers and my uncombed hair,  
And the straying lock, the string tie, battered hat,  
All natural accouterments with which to fool  
The corneous hands of jurymen. Being hired  
I left the people’s cause, and used my tongue

## THE FATE OF THE JURY

And outward seeming of democracy  
To save the corporations from rabble mulcts,  
While making needful money for myself.  
So throve I for a time. But soon my masters  
Used me enough. Antagonists at last  
Taunted the string tie and the uncombed hair,  
And made me naked in my sponsorships  
Before the juries, whence my magic fled;  
And being jobless I set up an office  
And turned a tribune, to myself alone  
And to the people responsible. I hung  
About my office walls the pictured faces  
Of those who strove and sacrificed for men,  
John Brown, and Tolstoy, Engels, Marx and George,  
Bruno and Paine. And for a hint of art  
A mezzotint of William Morris, and one  
Of Gabriel Rossetti, etchings not a few  
Of Roman forums, landscapes, and the like.  
Then as the Roycroft furniture was raging  
And decorations, I bought heavy chairs  
Of oak with leather bottoms hugely stuffed,  
And desks and tables of fumed and massive squares.  
I painted the office walls Pompeian red  
And ebon black the door frames, windowpanes.  
Sitting amid these emblems and these charms.  
I soon received the multitude, the halt,

## THE FATE OF THE JURY

The blind, the laborers, the crazed, the dreamers,  
Free lovers, socialists, and fanatic men  
Who creedless or with creeds arrayed themselves  
Against the strength of capital. And these  
I sent with counsel to the fray, too cautious  
To lead them save when money was in sight.  
Retaining the while their confidence by work  
For which I charged them nothing. Yet I throve:  
The corporations found me still their friend.  
I would not harm the people, but I'd see  
That fairness was accomplished between the people  
And wealth, which could be done when I adjusted  
Their quarrels in fairness, neither allowing the mob  
To overreach the strong, nor letting the strong  
Oppress the weak. For which I charged the weak  
No fees at all; the strong could pay me well  
And never feel it; and meanwhile 'twas none  
Of the weak's business that my pay arose  
Out of the gratitude of banks and trusts,  
Or what it was.

“So I went lecturing  
At night on single tax and socialism,  
And nurturing bodies who essayed to fix  
Just taxes on the rich. But when the suits  
Were pressed to fix them then I stood aside,  
And waited till the corporations asked me

## THE FATE OF THE JURY

To call my rabble army from the field,  
And compromise on justice.

“By this time

A great discovery! Yes, I loved my wife  
No more. My office long had swarmed with women  
Drawn by my eloquence, my tenderness  
For suffering and poverty, by my smile,  
My great humanity, my winsome wit,  
My learning and my genius. And gradually  
Adulterous ways had caught me, which my craft  
For splitting reasons justified. What's the wrong?  
So simple a thing as this. And I had smiled  
Some virgins into yielding. And some others  
Grown pregnant I had helped. But once it took  
Some thousands of my money to avoid  
A scandal, though in truth a scandal was  
Merely a nothing, if you were not placed  
In some conspicuous rôle in life like mine.  
Loving my wife no more, I came to her  
Asking divorce. And naturally she asked me  
If I had gratitude or not for all  
She did for me and for my lawyership.  
I had and said so, but it was not fine,  
It was not noble, nor to her womanhood  
The honor it deserved for us to live  
As man and wife together in this case,

## THE FATE OF THE JURY

Such as it was. She yielded to my reasons,  
And wept and made me weep, and so we parted.

"Now I had time and money whereon to write  
My long reflected book called *Love Your Enemies*,  
Derived somewhat from Tolstoy, it may be,  
But giving reasons out of Jesus Christ  
Against the game of war and hanging men,  
And all retaliation of the law, or that  
Of man and man. And so to write this book  
I chose a small apartment and set up  
In studious bachelorhood. The city's magnates  
Accounted me a radical and queer,  
But still an honest soul, a simple heart.  
And as so often I had helped them out  
Of communistic broils and saved them loss,  
They paid me back with tips upon the market,  
Which following I soon grew very rich,  
And thus was able to befriend the poor  
By legal aid, and write my cherished book  
Without anxiety on the score of means  
To live the while. But the apartment which I rented  
Was not among the rich, but in the ghetto,  
Among the poor, who seeing me pass the streets  
Sad faced and weary for labors given now  
To right the world's wrongs, men and women touched  
My coat or hand, and hailed me as their friend.



## THE FATE OF THE JURY

But those who saw my rooms here in the ghetto,  
Saw paintings on the walls Pompeian red,  
And bronzes on the shelves of many books,  
And Persian rugs. And others invited to feast  
Drank precious wine as even I drank it now,  
Having seen through the ascetic fallacy  
Of prohibition. And I had learned to smoke,  
First awkwardly grown more than forty then.  
But later I consumed great quantities  
Of cigarettes, and flicked the ashes well.  
So was it when my lady callers came  
Along the filthy streets glad to escape  
Into my sumptuous rooms. And many nights  
Helen and Kate and Lilly and Beatrice  
Sat draped around my feet to hear me read  
'The Ballad of Reading Gaol' or Omar Khayyam  
And upward gaze upon me, on that brow  
So full and noble, on that lawless lock  
That fell across it, giving sigh for sigh,  
Hearing my golden voice the verses drawl,  
While tears of pity coursed my weary cheeks!  
Nor did they note my finger nails, but rather  
The boyish way I held my cigarette.  
At other times I got my manuscript  
And read them how all war was made by usurers;  
And how all hangings by the law were only  
Brutal revenge; and how the world would rise

## THE FATE OF THE JURY

To light at once if men would but forgive,  
And love each other. Then the evening over  
Helen and Kate and Lilly and Beatrice  
Stole forth, but one of them returned at last,  
Having deceived the others, left unchosen  
For this night's dedication.       "

  "But with the years  
Feeding so greedily I ruined fields  
That might have fed my prudence for all life.  
And faction after faction fell away  
Proving my leadership a dangerous spell.  
Labor divined my passion, which was gold,  
And lost their causes because I stole away  
When danger threatened me. And those in jail  
For preaching what I preached discovered me  
Standing afar in safety, as they were soldiers  
Led to attack, but by the captain left  
To fight alone, while safe behind a tree  
The captain stood. And frowsy idealists  
Who married Jewesses when 'The Melting Pot'  
Captured the stage, and I went lecturing  
And urged such intermarriage as a cure  
For racial hates, awoke to see that I  
Married no Jewess, but took unto myself  
A lady of patrician family,  
Deserting Helen and Kate and Beatrice.

## THE FATE OF THE JURY

So woke the youthful dreamer who had married  
A negro woman, to that altar led  
By my philosophy and private word.

“Charmed life you think? Wonder I was not killed!  
Some thought it came from following the creed  
Of *Love Your Enemies*; and some believed  
I had a mastery of mind which ruled  
Men and events belonging to an age  
Made to my hand. How, many asked, could I  
Oppose the railroads as I did, yet keep  
Their friendship? Or was it fear of me  
That kept it? And the despots who controlled  
The surface lines might wag their heads and say  
They did not like my socialistic scheme  
For giving the city ownership of cars,  
Yet honest thought was not to be despised.  
And when a dreaming idealist was made  
The mayor to take over all the cars  
For operation by the city, they  
Preserved respectful silence when they saw  
This mayor to my hands commit the work  
Of winning through the courts the surface lines.  
Then I with sad face and with weary hands  
Toiled for the city, while the cynics said  
I filled my purse with rake-offs from the dives,  
And poker rooms. Not true! They missed the trail.

## THE FATE OF THE JURY

They never guessed the reason I resigned.  
How they did speculate! Some enemies  
Whispered the mayor stopped my privilege  
Laid on the poker rooms and dives, while some  
Proved I was hampered in this street car work  
By folly of the mayor, a doctrinaire, ..  
And justified the resignation, saying  
That all my striving, all my work was vain.  
Well, so it was. I tried. I ditched the game.  
I ditched it, wrote *Mark Tapeley*, you remember  
That satire on the mayor. This I did  
Thereby forgetting, being exasperate,  
My creed of loving enemies. Yet unscathed  
To other work I passed. Idealists  
Scattered and broken by my resignation  
Were stupefied with wrath, and could not speak  
If they had had a forum, which they had not;  
While on the other hand the street car despots  
Smiled at my resignation and were still.

"Arriving at fifty you recall that I  
Met great disaster. That popular cause arose  
Which needed what I seemed to be: a faith,  
A resolution, integrity and courage,  
Which I had lost, or never had in truth.  
I was the best the populares could find.  
And as I needed money, having lost

## THE FATE OF THE JURY

Huge sums upon the market, I was glad  
To use the populares to raise for me  
Great moneys for the cause and for myself.  
But being slumped'in energy and zeal,  
And faith, the purring panthers of old faults  
And weaknesses sprang on me, and you know  
What I was charged with, how I wiggled out,  
Dragging my wounds. And how my ruined name  
Went like a filthy litter everywhere.  
So stripped of money, even health at first  
I found myself upon the lowest round  
Trying to climb the ladder once again.  
Meanwhile in torture for a wife, but fearing  
To exercise the right I long had preached  
Of free divorce, lest with my lowered name  
Divorce would sink it past recovery,  
I let her torture me with querulous talk,  
And fang me with accusals. So it went  
Till that great capital which rules the world,  
And ever has ruled it since the Red Shield House  
Of Frankfort gave to usury the scepter,  
Held once by captains and imagination,  
Brought the World's War. There was my chance. I saw  
That once again I could reclothe, renew  
My name and fortune, by joining in the shouts  
For war, and to destroy your enemies  
And not forgive them. So my book forgetting

## THE FATE OF THE JURY

I stoned the Stephens of Good Will and Peace.  
And doing so I won applause again,  
And friendship of great capital, and praise  
As fast as linotypes by money driven  
Could cast in type for panegyric words.  
And money flowed to me coined from the blood  
Of boys deluded on the fields of France.  
So I grew richer and more famed than when  
I played the populares against the rich,  
And America gripped firmly by the gold  
Stolen by Spain from Cuzco and which flowed  
To India and was stolen thence by England,  
And which was made the unit power by banks  
And conquered at last America, this America  
Took me delighted to its breast again  
Forgetting not my whimsies and my faults,  
My errant genius, but remembering  
My eloquence and wisdom as its friend.

"That was the man, so made by life, so formed  
Out of my father's loins, my mother's womb,  
Who sat for weeks and heard these witnesses  
Tell what they knew of Elenor Murray. Then  
What did we know not known before? All waste  
Her life, all purposeless, as mine has been,  
Strive as I would. Look at me! Don't you see  
The purest hopes, the purest faiths abound

## THE FATE OF THE JURY

In me at first? That I had piercing eyes  
To see through all illusions along the way,  
And change my course to get the viable things  
Which make life tolerable, whose fault was that?  
That I spoke peace, believed in peace, and then  
Had to surrender life or howl the war,  
And send these Elenor Murrays and green boys  
To serve and die, shall I be blamed for that?  
Who gave me this acidulous reason fit  
To turn inside or outside any faith,  
Proving with equal points antitheses?  
Why loving money did I love the people?  
Why was I made unfitted to serve wealth,  
Though with bagged trousers destined as a mask  
To fool plebeians for a railroad's good?  
And while the poor things thought my sympathies  
Betrayed the railroad to their justices  
I didn't do so, only compromised,  
True to the inner truth there is no truth,  
No gauge of justice? You can answer these  
Questions as well as you could search the life  
Of Elenor Murray. An hermaphrodite  
Of nature, mind, I ranged the saints, I watched  
The world of master realists in deeds;  
And with these hemispheres which are my brain,  
Being the microcosm of this world  
Which on one side thinks hope, and on one side

## THE FATE OF THE JURY

Thinks doubt, love, hate, peace, strife—antinomies—  
Good will, self-will, all through the human list  
Of opposites—with these two hemispheres  
I leaned sometimes to beauty, truth, so-called,  
Which are as real as anything, but fool;  
And then I walked where life is shown to be  
The half insane, confused despair it is.  
Where did I find the footing of least defeat?  
Why, if I ate I ate; if I was roofed  
Then I was roofed; if I was couched for love  
I had delight. But if I tried to rise  
And used my mind for making something dreamed  
How should I do it, and with what regard,  
Against this organism made to feed,  
To fly the rain, to win an amorous hour;  
But worse against innumerable hordes who make  
Society, and whose collective sense  
Sees food and roofs and amorous hours as all?  
So prophets perish, and when youth was passed  
I had no relish for the martyr stuff.  
Glance at your Faust and see how real, how swift,  
How fiery Göethe wrote of Margaret,  
Of wine, of food, of dancing, murder, lust;  
Then turn to the pale, thin atmosphere of song  
At the very last with *pater profundus*, angels,  
*Pater seraphicus*, all that theurgy  
Of Margaret saved, Faust saved, where it is plain



## THE FATE OF THE JURY

He struggled with the task of making something  
From nothing; taking Dante for a guide,  
After discarding one plan, then another,  
Opposed each way by this intransigent  
Flesh sense which on its belly crawls, and climbs  
The tree of knowledge only to find out  
Wings needed, and being wingless must crawl down.  
With Dante, too, while he was painting men  
Stuck head first in hot pitch to punish them  
For deeds he hated, he was life and flame;  
But when he mounted up to paradise  
The light is candles, the glory ciboria  
Glancing the altar. . . .

Why do I write this out?

Why shameless do I extrovert my heart  
For you to see, for many to see, perhaps?  
First I am known for what I really am,  
And see it in the eyes of those I meet;  
And though time might obscure these faults of mine,  
And memory might preserve some good of me,  
Still do I write this. Why? To show the world  
That I obeyed necessity which inheres  
In life's most trivial moments, I the child  
Of the Civil War, and the spurious faith which fired  
Its genesis and its fruits. I see at last,  
Now life is closing, what was incident

## THE FATE OF THE JURY

And what was destiny in my life. Did I  
Choose the America of the Civil War  
For my birth time? Or prefer its aftermath  
Of business, money, cities for my place?  
Or gift myself with a fraudulent righteousness,  
Or die self fooled in a Holy Ghost, or Soul,  
That seeks the good—such good as I perceived,  
Such good in truth? No! I was but a flash  
Of the inner symbol under the moving age  
Which molded it and me, and which no man  
Controls, and which is God, if there is God.  
Now as an artifact which an Indian hides  
I give my story, seeing a world all changed,  
And seeing America which will never again  
Produce my type of spirit—may God forbid.”

Now as he read this Merival would pause  
From time to time to weigh some emphasis  
Of Borrow's, and looked before him steadily.  
For all the while he thought of Arielle,  
Chiefly when Borrow's words of eat and drink  
For to-morrow you die occurred. These left him blank  
And unpersuaded. Moreover hearing them  
He felt new urge to go to Arielle  
And stand by her for life whatever the cost.  
Borrow had profited no whit by living

## THE FATE OF THE JURY

For self alone; it proved androgynous  
Life which grew sterile, as though a soul runs out  
Of stuff to live on, if it is not crossed  
With honest duty, love for another soul.  
Then Winthrop Marion made articulate  
What Merival was thinking: "Borrow told  
The truth when writing that; so far so good.  
And I have thought these very things myself.  
Not long ago I said to the coroner,  
A man is loved when he takes what he wants,  
Grabs, wrests it in despite of folks, or else  
Gets what he wants without their help. Why not?  
Well, hearing another utter such cynic stuff,  
Sets it before you plainly. And I declare  
That I was braced resisting with every word,  
I've known this man for twenty years and more;  
I know he meant to tell the truth. One sees  
Through all this story a hurt and baffled heart  
Lusting to live, for self-protection's sake  
Dropping a truth too heavy to lug along."  
"A sort of fallen and corrupted Christ,"  
Said George, "but clearly product of the times  
Where life is hard, despite the abundant food  
Out of exhaustless soil; but communal good,  
The virtue of rulers, social justice thrive  
Not as the national aims, but as the words  
Of Sunday rituals. Christ being god,

## THE FATE OF THE JURY

Man vile, and all incapable of good,  
So he is pardonable failing to attain  
The Christlike pieties—thus you have a mess;  
And competition, trade, no wise impugned  
By our religion, make an iron net  
In which young souls like Borrow's are ensnared,  
And dragged and dusted. Only a brushing 'off  
For some occasion reveals them once again  
Just as they were in youth."

Then Maiworm said,  
"I'm sorry to confess you speak the truth.  
Worse still for me these recent months have brought  
Changed speculations. You remember how  
I spoke when we as jurymen talked together,  
Saying the conquest of the world for Christ  
Would rid the world of war and sin, from which  
Less homes like Elenor Murray's would ensue.  
Well, after all, with war and sin expugned  
These qualities of honor, gentleness,  
High-mindedness, and aristocracy  
Of taste and feeling might be unattained.  
I'll have to see what I can say hereof  
When I write out my story."

So they talked.  
And Dr. Burke came in who stayed behind

## THE FATE OF THE JURY

The others when they left. And Merival  
Starting the subject with that grandmother  
Of Elenor Murray who at fifty lost  
Her mind and for two years at Kankakee  
Was kept confined, went on to puerperal  
Insanity, by way, he made it seem,  
Of ranging over the field discursively.  
The doctor said at last: "You must assume  
The brain to be the organ of the mind;  
You must assume this, for it is the fact.  
From which it follows, there's no mind insane  
In a healthy brain. As for inheritance  
The unstable nervous system is the thing  
Which passes in the stream of life; the flesh  
Which is susceptible to toxic foes  
Of a good brain. Just keep the brain in mind,  
Which must have blood—blood flowing normally,  
For otherwise you faint, you lose your wits  
Some minutes. Whence you see that pregnancy,  
Anxiety, or danger seen ahead,  
Or moral shock can misdirect the blood,  
And undermine the reason. In earlier days  
We thought childbirth insanity arose  
From some inheritable diathesis.  
What have we found? Infection generally  
Upsets such brains."

## THE FATE OF THE JURY

Now Merival stared at him.

He stared the mystery of Arielle,

The insoluble secret that surrounded her.

Silent he rose, and stood, then poured a drink;

Silent he sat again and sipped his Scotch.

#### IV

As Merival was preparing to receive  
Aunt Cynthia and Arielle, letters came  
From both; from Arielle that she was ill,  
And vexed with many things; from Cynthia  
That she was worried over Arielle,  
Whose nerves were troubled by anxieties  
Touching her lawyers, agents, properties;  
Saying that it were better he should come  
To Madison this time; another time  
They'd visit him; that Arielle would write  
When she was free and better. Much perturbed  
Merival went riding up and down  
His many acres, overseeing work.  
Thereafter letters every day from Arielle.  
There were two ways: silence from him or write;  
And Merival wrote. There were two other ways:  
A trip to Europe, silence, utter breach  
Of this relationship, that or go to her.  
And Merival went to her—to Cynthia  
Who housed him.

## THE FATE OF THE JURY

It was June. The flaming dawns  
Seemed like a universe afire, with skies  
Of noonday cool and blue which sped soft winds  
Among the poplars and the bridal blooms.  
At sundown walking over the yearning hills  
They saw a subtle haze of vaporous air  
Drift with the lights of evening. Hand in hand  
They stood once more by the log across the creek,  
In a long embrace, where Merival's heart in tide  
With streams of life too full to wish away  
Flowed over his will, and drowned his self-regard,  
His prudence. Arielle resting in his strength  
And needing him as lover, friend, and help  
Found calm content. Her spirits rose to songs  
Of happiness, live color flushed her cheeks,  
And in her eyes again the wonder came  
Of flame within a sunglass.

Then at last  
In a long evening Arielle disclosed  
Her troublous secrets. First she brought the will  
Made by her husband a month before he died,  
By which the husband gave to Arielle  
The income of his property for life,  
And at her death his sisters should have all.  
Nothing in fee to Arielle. Why so?



## THE FATE OF THE JURY

Not even this house. "Why was this, Arielle?"  
He asked her, and she answered, "Further read."  
The next page was a codicil, by which  
He gave her title to one-third of all  
His property, and at her death two-thirds  
Of all to sisters. Strange the selfsame day  
Should see this will and codicil. Merival  
Noted the dates and looked at Arielle.  
"This will and codicil were made together,  
Just hours apart," he said. And Arielle  
Returned a quiet "Yes." Then she went on.  
"Here is the trouble: Bonds and stocks compose  
The whole estate besides this house. I can't  
Have any homestead, any dower set off  
To me without the notoriety  
Of going into court. I feel them wait,  
These sisters silent, hoping for my death.  
Meantime I live just like a tenant here  
Without a lease. That's not the worst of it.  
I hold in my possession all the stocks,  
The bonds, and now they say I might dispose  
Of them and so defeat the will which gives  
These sisters all when I am dead. I won't,  
But that's their cunning talk to circumvent  
My widow's rights. They plan to have trustees  
Appointed who will take these stocks and bonds,  
And hold them, pay the interest to me. What

## THE FATE OF THE JURY

But a poor pensioner am I, if that  
Is done? No less. I am a prisoner,  
And dare not go away for any time  
Lest I shall lose by some abandonment  
My homestead—so I'm told. Of course the will,  
My life estate; but they are pressing me  
That to renounce and let them pay my dower—  
And value of the homestead set apart.  
All this with you,"—she put her arms about him—  
"Have almost made me ill. You see that house?  
That's where those sisters live. They know about you;  
They watch me so. It was not wise to let  
You visit me again. But if I went  
To visit you, they'd know it. Cynthia  
Is indiscreet, being so innocent,  
So proud of you, so worshipful of me.  
Our friendship is a triumph in her eyes;  
And one must talk of triumphs." Arielle sank  
Into a chair closing in weariness  
Her eyes. And Merival said, "I'll manage this;  
I'll get my lawyer." "No, that cannot be;  
Why should your lawyer help me? Don't you see?  
That would enrage them. They would say what right,  
Upon what basis does his lawyer come  
To intermeddle here?—It cannot be.  
Your lawyer is yourself, and what's your right  
To take a hand?" "To take it as your friend."

## THE FATE OF THE JURY

Arielle was silent. Soon he spoke again :  
"Show me a picture of your mother, dear."  
"I have no picture, why, what made you ask?"  
"Do you look like her? I have wondered." "Yes,"  
She lisped a whisper keeping eyes still closed.  
After a silence Merival spoke up :  
"Strange that your husband made that codicil  
On the same day he made the will." But she  
Vouchsafing no reply, he pressed, "Why so?"  
And Arielle said, "That day he was at home  
Sick, and he typed his will out of my view.  
Two men came in to witness it for him;  
That's how I knew. When he was back in bed  
I searched and found the will. I got him up,  
And after a talk he wrote this codicil.  
The men returned to witness it again.  
All this came out in court inevitably;  
And that's what makes his sisters hate me so—  
Though what did I get beyond the law's allowance?"  
Merival's lips were framed to say the words,  
"He did not love you." But instead he said,  
"Shame on these sisters! You are in the right."  
But Merival kept asking to himself  
Why Arielle's husband had it in his heart  
To make his will so; and why he'd fare away  
To haunts of vice and leave this beautiful  
Woman to loneliness. Was his the fault

## THE FATE OF THE JURY

Wholly, or hers in part, some secret fault  
Which lay concealed from Merival?

On a night

Lying embraced, when the fierce ardors swept  
Into a blinding flame all pale ghost thoughts,  
Reasons and cautions, in that ecstatic madness  
When death is craved as means to greater life,  
And the heart hurls forth for ordeals, suffering  
To bear to the gate of ruin, if so it be,  
He poured warm, sudden breath against her ear  
About their marriage, a whisper out of a tumult  
Of passion gusted about her receptive calm,  
Which kept itself in crystalline repose  
And did not answer. But when Merival came  
Out of the sorcery, the fumes and lights  
Of her spell whose wand transformed him to a slave,  
A reckless Hercules to her Omphale charm,  
He eyed with cool reflection what might be:  
That he might spin and wear her woman's robes,  
And she might rule and wear his lion's skin;  
Or torture him with some Tantalean grief.  
Like David Borrow, with a double self  
Out of two hemispheres of brain, he lived  
The metamorphosis from the life with wings  
Back to the earth where the hump of back and lug  
Of vermiform perspective crawled secure

## THE FATE OF THE JURY

To safety. Thus between these moods of flight  
Among the scented blossoms, and the earth trail  
Between the weeds, he settled nothing. Once more  
Back to Starved Rock he turned. He would advise  
Her course about her business; he would come  
Whenever she desired him; he would bring  
His lawyer. But this time their parting had  
No privacy, for Helena dined with them,  
And played for them, and joined them afterward  
Remaining with them till he left. They stood  
At the door of her boudoir with arms entwined  
And waved farewells to him along the hall.

# V

Now when that evening Merival reached LeRoy  
 The streets were full of talk about the failure  
 Of Samuel Ritter's bank, the day's event,  
 Which meant some loss to Merival—let that go.  
 What shocked him was this ruin of his friend,  
 His Harvard classmate, intimate these years,  
 Who helped him when this Elenor Murray inquest  
 Dragged through the weeks. So down to Ritter's house  
 He hurried, where the maid was all alone;  
 Ritter was out, had not been home to dinner;  
 The wife was in Chicago. But that night  
 As Merival was settled to his books  
 To break or aid reflection Ritter knocked  
 And entered, looking hunted, gray and old.  
 "Well, this is pretty bad," said Merival.  
 "I tried to see you when I returned to-night.  
 What can I do? Can't we make up a pool  
 And put the bank upon its feet again?  
 You know you can command me." Ritter said,  
 "The wreck is too complete. I've come to talk  
 Before I go away—or kill myself."

## THE FATE OF THE JURY

"Such nonsense, you will stay and fight it out;  
You have done nothing surely to involve  
Yourself in law toils?" "Knowingly I haven't;  
But who can tell what angered depositors,  
Stockholders may not do? Give me some Scotch,  
I want to talk. Instead of writing out  
What has been eating at my heart these years  
For you and all the rest to read—oh no!  
I can't do that. I have that boy, you know—  
She's gone away again and taken him;  
And I can't sue her for divorce—I can't;  
She has me in a corner. I've worried so  
About this woman I have had no mind  
For business; and this Murray inquest took  
My eyes away, and while they were away  
Some loans were made, which made a hole which let  
The water in, but worst the captain's skill  
Was lacking, blunted by anxiety  
About this woman, wife, about my boy.  
I mean that one soul, just yourself shall know  
What's gnawed my heart these years. . . . I'll tell you  
now—

Then I believe I'll simply disappear,  
Assume another name and hide away.  
But now where to begin? You knew, of course,  
Our home lacked harmony. You did not know

## THE FATE OF THE JURY

How, when it all began. So I'll go back  
To the day I married her, and tell you all.  
Listen with care. You may think out a way  
How to divorce her, which no lawyer can.  
They say I'm stuck. Why, yes, if I could end  
This marriage, have my boy sometimes, I'd stick,  
Work out this failure of the bank. With her  
Around my neck I can't. You never saw  
Such hatred, bitterness in a woman's heart.  
No pity for my failure! When she left  
This morning this is what she said to me:  
'Now you are down, and when depositors  
Rush to step on you, you will know who set  
Their feet to do it!' Why, she'll do this, too;  
And she defies me, dares me to file suit  
Against her; and these years she's filled her purse  
With money from my hands—and walks off now,  
With threats and with my boy. . . . Let me begin:

"She was and is devoted to the arts,  
Plays the piano, sings, can act a part,  
Reads French, reads poetry. I blamed myself  
More at first than later when I fell  
In slumber as she read to me. My work  
Was heavy always, as our business grew  
My labors multiplied. A man goes home  
Half dead at night—but to begin the tale.



## THE FATE OF THE JURY

"I met her here when she was visiting  
Some twenty years ago, and heard her play,  
And heard her talk. She's very fanciful,  
And witty, and 'devoid of gifts myself  
I love them in another, in a woman.  
Soon she returned to 'Omaha, her home,  
To teaching music for her self-support,  
And for a widowed mother. In these days  
My fortune had begun, this business thrived;  
And she could see herself provided for,  
And rich at last through me—it happened so.

"First we exchanged some letters, then I went  
To Omaha to see her, and the mother  
Approved me at the start, and helped along  
My suitorship. But Margaret had a friend—  
Here started all my trouble through her friend  
Named Georgine, who repulsed me from the first,  
And cut me with her tongue. . . . I hated her,  
She was so pushing, powerful and coarse.  
I wondered then how Margaret could like her  
Being herself so feminine and fine,  
And asked her why. And she explained to me  
That they had known each other from school days,  
And from school days were bound in kindred aims;  
And that Georgine's exterior was a box  
Of brass which held a store of priceless balm.

## THE FATE OF THE JURY

Those were her very words—she routed me.  
Well, I proposed to Margaret, and she said  
That she would write me. I returned to work,  
And after a time a letter came accepting,  
And so I went to Omaha again.  
I might admit I'm not the greatest lover ..  
The world has known, never could learn to dance,  
Can't turn a compliment, and I realize  
How big my hands are, and how bald my head.  
I did my best, however, and her responses  
I thought were due to coyness. I didn't see  
Myself in awkward postures, awkward words  
As well as I could now. But all the while  
Georgine was near. And when she spied upon  
A kiss or tenderness she laughed at me,  
Or stabbed me with a word, while Margaret  
Forbore her lips, or danced away from me.  
The laugh at me was being treated so,  
As well as for my awkwardness.

“So the day  
Was set at last, and with a string of pearls,  
And the wedding ring I went to Omaha,  
And found all things preparing—but no bride.  
The flowers were ordered, they were baking cakes  
And Margaret's mother said that she had gone  
To Council Bluffs with Georgine, would be back

## THE FATE OF THE JURY

On any train, and sent me to the clerk  
To get the marriage license. There I waited.  
The day arrived—no Margaret. And the day  
Passed and no Margaret. Like a fool I went  
To Council Bluffs to find her. There she was.  
And when I entered in the hotel room  
Georgine stole out. I questioned Margaret,  
Who wept and stammered, but at last confessed  
That Georgine feared our marriage, and believed  
Our temperaments, so different, would conflict,  
And end in misery; from which reasoning  
Her mind had grown bewildered till she fled  
Half ill to Council Bluffs. I talked her out  
Of Georgine's fears. And then she told me what  
Seemed the real reason of her change and flight,  
Which was that she had loved another man  
From whom she parted, and who went away  
And married but she still remembered him;  
She feared her memory of him would shadow  
Her heart forever. This was news to me.  
But I brought forth the pearls and round her neck  
Fastened them, growing eloquent with words  
About the home I'd build, the limousine,  
Travel abroad—my business will was up,  
And in the absence of Georgine I seized  
Her wavering fancy, won her. And in short  
I took her from that room before the clerk,

## THE FATE OF THE JURY

And married her. Georgine was there. And then  
I brought her here.

“I furnished that lovely house,  
Where you have dined with us, with everything  
That money buys. And she went on with art  
And music, in eight years our son was born.  
And I was deep in business growing rich,  
And fooled myself into a happiness.  
We entertained, dined out. I tried to dance,  
I studied French, and fought to keep awake  
At dinners and in drawing rooms. One time  
This other man was here. She had him call.  
I studied him and studied them together  
And satisfied my mind she didn't care  
For him, and furthermore had never cared  
As much as she pretended. But at last  
I found a picture of this other man  
Among some trifles, other photographs;  
And on the instant quickness of a glance  
I caught the proof in eyes and shape of nose  
Of their resemblance to my son's. Well then  
I had some days of hell, till I had studied  
By close comparison the proof away.

“Meanwhile and all the while elusiveness,  
An air of subtle temperateness, and words

## THE FATE OF THE JURY

Of sunlit mist, strange nothings marked the ways  
Of Margaret toward me. Or else she raged  
With passionate angers, or revealed her soul  
In shrinking and 'abhorrence of my flesh,  
And mocked my hands, my baldness; epithets  
Like gila monster, saurian, water dog  
She hurled at me when angry. From the first  
She couched with me with shudders and contemned  
The act as vile . . . as making her the sluice  
Of filth, and from the first was scarce a wife.  
And from our son's birth on she slept alone,  
And came to me only when I had forced  
Compliance.

“So the years went. All the while  
Georgine was much with Margaret, in fact  
Moved here to live soon after we were married.  
When I came home at night Georgine was there—  
Just going. If I chanced at luncheon time  
To hurry home Georgine was there, or else  
Had just been there. They took up women's rights  
Together, read together, played Chopin  
Together, and together acted parts  
In little theaters; golfed together, too,  
And in my limousine were inseparable;  
My home life like a weighted trellis fell;  
The order of my house to smallest things

## THE FATE OF THE JURY

Obedyed Georgine, who whether in my rooms  
Or absent was the magnet which controlled  
The momentary life of Margaret  
Arranging them as filings. As for me  
I paid the bills.

“Of course I made complaint,  
First gently, then more firmly—to no good.  
She said no marriage gave the right to stop  
Old friendships, or to sever friend from friend,  
And that she loved Georgine so much she’d die  
Before she’d suffer separation. And so  
I couldn’t think and plan a thing to do.  
But when last summer—it was early June—  
She planned a trip to Paris—then I rose,  
I put my foot down, thinking time was now  
To end Georgine, and end her tyranny.  
I said to Margaret you may go, but not  
With Georgine. She submitted. And I went  
With Margaret to New York, and saw her off,  
Then back to work.

“One night I rummaged round  
In Margaret’s writing desk and trunk to see  
What I could find about this other man.  
Sometimes I felt convinced he was the father  
Of our son, and so I looked old diaries up  
To fix the dates of Margaret’s visits home

## THE FATE OF THE JURY

In Omaha ; and at last I found a date,  
A probable time of seeing him, and the count  
Of months thereafter proved he was the father  
Of my little son. There in that lonely room  
From diaries noting dates, and looking at  
His photograph I had a fiery hell,  
Whose flames were lapped away by greater flames :  
In an old box I found a pack of letters  
From Georgine to my wife, and read them all.  
The clock struck three when I had finished them ;  
And I undressed and tossed and puzzled over  
These letters and their words of tenderness,  
Which pledged fidelity and exacted it.  
In one Georgine had written : 'My adored,  
Since you have promised and have kept the word  
Not to be soiled by him again, you are  
Once more my purest angel. I forgive you  
The past, this love of mine enables me.  
I long for you. How will to-morrow be?  
Last night I woke with trembling from a dream.  
I dreamed I felt your kiss upon my lips ;  
I dreamed I breathed the odor of your hair ;  
I felt the rapture of your lovely breasts,  
Pressed against mine.'

"Here, look at it and read,  
See for yourself. That very day I hurried

## THE FATE OF THE JURY

To catch a boat for Paris in New York.  
Having the afternoon I saw a noted  
Psychologist, and let him read the letters.  
He told me there were forms between the metals  
And the nonmetals, forms transitional;  
And forms transitional between plants and beasts;  
Between the plants that blossom and merely leave.  
He told me in some persons there's a mixture  
Between the male and female elements;  
That a woman's outer body may be a woman's  
And that her inner body may be a man's,  
Born so, he said, and from the embryo  
An intermediate sex. Well, I had heard  
Of such pathologies from the school yard on.  
And he said it was pathology if you called  
A color blindness a pathology,  
Not otherwise, abnormal, but not sick;  
But seen in flowers and in the worker bee,  
Which cannot propagate, but feels its sex,  
And uses it to serve the racial plans  
Of bees, which proved that Nature did not mean  
All women or all men should propagate  
As test of natural sex. He said this love  
Between my wife and Georgine multiplied  
Among those formed by nature for such love  
Would bring the world of comrades, an ascent  
Of Nature's plan, and natural as the birth



## THE FATE OF THE JURY

Of children, more divine for being soul  
Evolved from flesh, and destined to subdue  
The world's materialism—rot like that, such rot!  
Well, if 'twere true, what of my life, my God  
What of my boy to grow up and to know  
His mother was this sort of woman? She knows,  
She knows her vileness, and she uses it  
To rope me down. She says I dare not charge  
Her with this thing and bring our boy to shame;  
And if I do that she will kill me. Well,  
What is the use to charge her since it is  
No ground for a divorce? She knows that too.  
It isn't adultery; it's nothing in law.  
I might, the lawyers say, bring separate  
Maintenance on this ground, but they refuse  
To act for me upon such accusation.  
So here I am with a ruined bank on hand,  
And with this Fury, this Lesbian pervert  
In sole possession of our boy and gone.”  
Then Merival asked, “What happened there in Paris?”  
“Yes, I forgot; I ramble on you see.  
Well, that psychologist in New York. He charged  
A pretty fee, I paid him, took the boat;  
Arrived in Paris, went to the hotel  
Where Margaret was, and sent for her to come  
Down to the lobby. Meanwhile as I waited  
Georgine strolled by in masculine attire,

## THE FATE OF THE JURY

Hair bobbed, but didn't see me, took the lift.  
In a moment Margaret appeared all fear,  
All trembling. I accused her. She confessed.  
She wept. And I arose and took her back  
To a writing room where we could talk alone,  
Out of the view of people strolling by.  
My first thought was to leave her there in France  
Among the French and the Napoleon code  
Which tolerates such vice. But there—my boy!  
I wanted him. I said to her at last:  
'I'll take the boy, and you can stay in France  
With Georgine, what you will.' She flushed at that,  
She flashed fierce eyes. She answered: 'You will take  
That boy when you have killed me. You can go  
To court about it here in Paris, win,  
But then you'll have to kill me, but perhaps  
It will be you who will be killed.' With that  
She wilted down and writhed and clutched her hands  
Tight in her lap. And for some minutes then  
No words were passed. Then she looked up at me,  
Stared at me, searched me with great beaded tears  
Which almost plopped, and then with self-control,  
But with intensity she faltered, 'Could—  
Could you forgive me?' 'Forgive you! Well—' my voice  
Went off in aspirates. 'Forgive me, yes;  
Be noble, generous, forgive me this.  
Give Georgine money to return. Take me,

## THE FATE OF THE JURY

Let us begin again.' Now look how God  
Played devil then! That very moment ran  
My boy into the room, and with a cry  
Leaped on me, flinging arms about my neck,  
And shouting 'Papa!' So my tears came, too;  
He saw them, 'What's the matter, Papa? Why  
You're crying.' Then he saw his mother's tears,  
And said, 'And Mamma's crying, what's the matter?'  
'Nothing,' I said—'just give me a good hug,  
And run away a bit, and after while  
We'll take a ride or something.' Hugging me,  
Then going to his mother with a kiss,  
He left the room, keeping his wondering eyes  
Upon us both until he closed the door.  
Well, then a silence; nothing at all was said.  
And then at last with hidden averted eyes  
She said, 'We owe that boy our very best;  
If I have given my worst, it will not help  
If you turn hard and give your worst to him.'  
Well, Merival, I never have obeyed  
Any good impulse without getting stung;  
I never did a generous thing and found  
A comprehending, generous response.  
Most men learn to refrain from nobleness,  
Perceiving early that they waste themselves  
To no account with nobleness. It is this,  
This studied skepticism of the good which makes

## THE FATE OF THE JURY

Business, finance, the state, society  
So hard, so cynical, so cruel, cold,  
So unrepentant when they trample down,  
And gain thereby; then like a pugilist  
Who is victorious, lift their fallen foe  
And carry him to his corner—charity!  
And so it is that firm, strong, self-contained  
Men who give nothing, save the measure of law  
Pass for wise men, just men, and are esteemed,  
Remembered, while the noble win a sigh  
From natures like themselves, 'He sacrificed,  
He died for truth, he gave his fortune up—'  
And so on. . . . Well, I let the opportune  
Moment for my advantage slip my hands.  
I might have let her keep the boy. I might  
Have placed some money in a Paris bank  
To feed and school him, pay a guardian;  
And left her without money to work or starve,  
Or be supported by Georgine. So caught  
She might have come to reason, freeing me  
To marry again; and then in after years  
I might have had the boy. I see this now.  
But at that moment an impulse surged my heart  
To forgive—this Christian ethic rots the world,  
All of it's false, all lies, all sophistry,  
All words, all sick perversion of the truth  
For action, conduct, dealing with our lives.

## THE FATE OF THE JURY

There she sat frozen, helpless. But I forgave,  
I took her to my breast again, I warmed  
Her fangs to life. Back to LeRoy we came;  
And for a time she was companionable,  
Life brightened for me—and I loved the boy.  
But while this Elenor Murray inquest took  
My mind's attention, that and bank affairs,  
Becoming tangled, she was taking trips  
To meet this Georgine in Chicago. Last  
Week I discovered this. I found her scrawl,  
My wife's, a passionate adoration scrawled  
To Georgine, in a moment's recklessness  
Half torn and flung away. I showed her this,  
I charged her with this vice—she laughed at me,  
She snapped her fingers at me—then she left  
And took the boy. On top of this the bank  
Crashed down. And now, my friend, just let me sleep,  
I have some sleeping powders; let me sleep  
For this night in your house."

So Merival

Took Ritter to a room, and tucked him in.  
And the next morning rapped upon his door,  
And called him. With no answer coming back  
Merival entered, and found an empty room.  
Ritter was never seen again. Some years  
After a skeleton of a man was found

## THE FATE OF THE JURY

In an old abandoned coal mine. No one knew  
Whether 'twas Ritter's, or a doctor's who  
Mysteriously disappeared, as Ritter did.  
But Ritter at least was never seen again  
After that night of talk with Merival.

Now with the failure of the bank was lost  
The fund which had been raised to set a bronze  
Of Elenor Murray in the public square,  
Which Ritter started at the inquest's end.  
With him a bankrupt, and the rest poor men  
The burden fell on Merival to restore  
The fund; which done, Newfeldt, the juryman,  
Who in his youth had studied Adam Smith,  
And since had studied tariffs, land and money,  
Conferred with Merival about the figure  
Which would express the soul of Elenor Murray  
As child, as woman and as patriot.  
They had found drawings at the Ritter bank,  
Among the Ritter papers, as if concealed;  
At least he had not shown them to the rest,  
To Merival and Newfeldt. They were drafts  
Made by the ardent Smulski who had dodged  
The war as pacifist and been interned,  
As punishment as well for sculptured scoffs  
At war, shaped to ferocities of hate.

## THE FATE OF THE JURY

He kept a studio in a little shed  
Back of his father's shop, who was a smith,  
And shod the horses for the heavy drays  
Of packers and of truckers. He had drawn  
For Elenor Murray's bronze such bitter things  
As spoke his fiery, gifted, iron hate  
For America, which had fooled his father's hope,  
An immigrant, and roused his youth's contempt.  
Such, too, as bodied forth what Elenor Murray  
Was as he saw her, and what the war had done  
To use her and destroy her. So he scrolled  
A decorate lotus with its roots in mud,  
But flowering in the sun. Or else he drew  
A vaguest coil of something huge and vile  
Which wrapped a broken wing. One drawing showed  
The head skin of a lamb which peeped a face  
Too easily perceived as Lowell's face,  
The wolfish editor of the hated *Times*,  
Who howled the war, and stood for all its lies,  
And turned his pharisaic screeds in peace  
Against saloons to drying all the brews  
That soldiers might have bread from grain conserved!

These drafts had angered Ritter who desired  
Pure beauty, as he called it, something benign  
To inspire, to show this Elenor Murray's face  
In a light divine of sacrifice and love.

## THE FATE OF THE JURY

And he had kept them thus in secrecy,  
While asking Smulski to try again, and saying  
To all the rest that when all drafts had come  
They would sit down together and decide,  
Meanwhile except for Merival he had turned  
This Smulski off for an artist higher souled.

Now on a day Newfeldt and Merival  
Studied the Smulski drafts. And Newfeldt spoke  
At once for something sharply edged and new,  
Ironical, to picture war, and show  
How it devours the dreamers, the true of heart.  
"What money does to art," Newfeldt began,  
"Is shown by Ritter's holding back these drafts,  
For fear that you and I, the rest of us,  
Might choose some of these Smulski drafts. You see  
Money wants war, and war must have for friend  
Money. It wouldn't do to have such bronzes  
Which bare their friendship and their game, and what  
They do to life. Now as I sat quite still  
While all of you talked freely when we met  
To reach our verdict on Elenor Murray's death,  
I may talk now, especially as I'm bound  
To write my story, but fear that I shall fail  
For time, or for the words to make it plain.  
My story's poverty, to use a single word,  
Which cramped my usefulness, and clipped my hopes,



## THE FATE OF THE JURY

And kept me dreaming, wandering in the quest  
Of a better state. Now poverty with me,  
With this America is a rocky shelf  
Which grows the cactus and the cypress tree  
Wind bent and twisted. But this rocky shelf  
Lies by a cornfield where the obese ears  
Make riches and make rulerships; besides  
Make books and pictures, bronzes, shape a faith  
From Jesus—in a word religion, art,  
If that be art which genuflects the corn  
Not in the field, but on the board of trade.  
It isn't art, for art's the rebel soul;  
Its beauty is its courage and its truth;  
It is a satire on the man which men  
Through civilization make, and it's a curse  
Of social lies.

“This bronze of Elenor Murray  
Should show the worm which gnaws America,  
The deep disease which irritates its life;  
And how great souls which find no sympathy  
No beauty, no nobility, no ideals  
In this vast mediocrity of materialism,  
Turn from their hatreds of it to the hopes  
Some past inspires, and live Utopia;  
Or else in desperation fling themselves  
To war, imagining behind the gas

## THE FATE OF THE JURY

And smoke of battlefields, the alluring shapes  
Of lovelier things, new eras, richer life;  
Just as the cypress tree in the bitter wind  
Becomes a colophon which tells the tale  
Of what it has endured. Withdraw and dream,  
And give us beauty? No, the men who stand  
To know America and to fight for her  
Will from their irritation satirize  
Her vast apostasy, which furnishes  
No audience for truth, devoid of faith  
In anything but the stomach, being herself  
A hulk of flesh, mixed blood and embryo nerves.  
When will it change? As well to ask me when  
Poor seed corn will be good if you persist  
In planting poor, for corn and human seed  
Obey the selfsame laws. America!  
There is America the land, but no  
America as people, or as soul.  
For dinner buckets and prosperity  
Are appetites, not soul. And if you took  
The whole of Europe, added Africans,  
Some Asiatics, you would have this breed  
Which never stirs to one united cause,  
Save it be money or a war.

“One time

I went with Ritter to the studio

## THE FATE OF THE JURY

Of Smulski in Chicago. It was Sunday,  
And many workers were gathered in a square.  
There sat they with low brows and big of face,  
Lips thick, mouths coarse, the upper lips too long,  
Cheek bones too high, or chins too weak, or jaws  
Prognathous, noses goose-billed. Are these best  
Of Europe's stocks? They are not best, but worst,  
And we are burdened with them by the men  
Who talk religion and prosperity,  
Your business man and patriot—American;  
Who from the first followed the money lust  
And captured slaves to work the sugar fields;  
And lured by false pretenses the pauper class  
From English towns; and shipped the criminals,  
The insane, the imbeciles, kidnaped on the streets  
Of starving London, till the colonies  
Were sown with this poor seed corn to the half  
Of all their acreage. Yes, in our day  
Came pauper labor for the mills, for votes  
Coerced and bribed to swell a privilege.  
Do these vote for the men who know their lot,  
And strive to better it? No, never that;  
They vote for those who keep them where they are,  
For those who use and work them, not for those  
Sprung from their ranks, or wise men like yourself  
Who sacrifice to give them liberty.  
It would not be America to let

## THE FATE OF THE JURY

A man like you have office, or some sprout  
Of this trash corn; it is American  
To clothe with sovereignty the sons of those  
Who first imported slaves and imbeciles,  
And paupers. Thus the Anglo-Saxon cult  
Is kept, you see, the foreign scum subdued;  
And so religion is preserved, the seed  
Of all dissentient madness which was mixed  
With imbeciles and paupers for first ships  
Which brought Ridge Hermits, Pietists and such  
Plagues which escaped the opening of the Book,  
To make this land one vast and howling ward  
Of madness, where elections are always won  
By lies and money, using ignorance,  
And morality its brother here.

“Look now  
At us prodigious, powerful and rich,  
With never a guide, a mold of our life.  
Jesus! What Jesus? Imagine Chinamen  
Saying, Confucius! What Confucius? He  
Who threatened he would break up families,  
And breed dissension cannot mold a race  
To unity, but only mold it as  
America is molded, of many faces,  
As numerous as his words. Have we a god  
To shape us to enlightened prudence, truth,

## THE FATE OF THE JURY

To dignity of soul, to liberty,  
To taste, nobility, to brotherhood  
Where gentlemen are brothers? None. Besides  
Who honors those who have these virtues? None.  
Who cares for Epictetus, or Aurelius,  
Here where the general thought is cast beyond  
To a heaven when it is not bent upon  
Commercial fraud, or war or stealing isles?  
My suffering for this makes up the sum  
Of my life's story. Can I write it out  
Better than I have talked it now? I know  
The Ritter secret, and I grant as well  
The masculine trouble generally concerns  
How he resisted or surrendered self  
To a woman's breast. Not mine that story is.  
I am of those who have been sent to hell  
By America, and who have lived in hell  
Accepted the fate—for what? To tell in chief  
What the hell is America has made,  
And put me in. While I am cursed by those  
Who sent me there, for telling what I saw,  
Suffered and lived. So always it has been  
From Dante down to Shelley.

“Thank the gods

I saw this hell from China before the West  
With trade and guns and Jesus scaled her walls,

## THE FATE OF THE JURY

And broke her ancient order. There I saw  
Their vice of exaltation and of dreams,  
Who would prefer the anger of whisky eyes?  
There I saw virtues nurtured and sustained  
By purely human worships without priests,  
Rewards or gods. There harmony of life  
Was the goal. There wisdom, gentleness,  
And temperance were the tenets. There I saw  
Their art of mountains ethereal as smoke,  
Intangible as dreams, divined as soul,  
Which turns to clouds of light the very rocks,  
And brings a peace which only the pure of heart  
Can ever know.

“All this I saw afar  
From the hell I fled, compelled to enter it  
Again and roost upon its lower shelves  
Here in LeRoy. Living indeed! How reach  
The open air again, how pull the land  
Out of this hell? Take Christianity  
And boot it forth, deracinate its roots,  
Burn off the sod.

“Before this have you voice,  
Have I in the state's affairs? We but submit  
To that majority which rules, but worse  
Crushes and stifles the minority.

## THE FATE OF THE JURY

Yes, even a party with political  
Adherents by the millions, and with hopes  
For the country are all waste, as even you  
Are waste, and 'thrown away, a man like you,  
Because you did a novel work while probing  
The life and death of Elenor Murray, one  
That seemed eccentric to these sanest minds  
That rule our country. How can our state be sound  
With millions in a pulseless life submerged,  
Where rot ensues from mere inactive blood,  
Denied participation in policies,  
But worse despoiled of private rights that touch  
Diversion, drink, and worship? Were it only  
What party wins and there an end, because  
Our inmost lives were free of politics,  
Who'd care? Not I. But it means bread at first,  
And bread means freedom, progress, joy of life.  
There's not a capillary at its tendril's end  
That is not poisoned by this corrupted blood.  
It makes us cringers for the means of life;  
It fouls the press, contaminates our books;  
It breaks the honest publisher. It stretches  
Its sucking and envenomed tentacles  
Where children learn. It warps the sense of truth  
In reasoning men, until mere money want  
Which flows from disobedience to this rule  
Breaks down the will to sullen abdication.

## THE FATE OF THE JURY

Where you have this as a pandemic ill  
What's your republic? And this gibbous thing,  
Privilege, or plutocracy—call it that,  
Which is the church and is political  
Strikes down our liberty for moral's sake—  
Look down, great God, and see! Morality  
It fouls with fox feet or with oxen feet,  
For fat prosperity to be passed around  
By those who stole it. It shouts down the truth  
With what? The clamorous voices of insane,  
Bribed, system fashioned suffragans who feed  
Upon the loot, who being fed ride down  
My liberty and yours, the country's too.  
Lawmakers, judges, teachers, editors,  
And clergymen are moral—do you say?  
Well, then bootleggers are, and gunmen, thieves,  
Or moraler, since they strike too low to hit  
The heart of liberty.

“Well, Merival

My tale is poverty, and God save the mark.  
Its good I have no greater talents, since  
My waste would then be greater. I am glad  
My strength is such that broken time and work  
To win support defeat no genius task;  
And that work doled, which work may be withdrawn  
If I show independence, though it breed



## THE FATE OF THE JURY

A sense of shame, and conflict between the hate  
One feels for such a life, and love of days  
Which honor merit and the thinking man—  
Still that such work amid such circumstance  
Wears down no Leonardo—in my case.  
But the best of men endure what I endure,  
That is the wrong, the waste; for they could serve  
America. Yes, poverty is the word;  
It is the worm which gnaws the precious flower  
Of genius and of character.

“Now the statue  
To Elenor Murray. How would a skeleton  
With swift, long, bony strides come out in bronze,  
With bony fingers gripped about her hand,  
With eyeless sockets staring an abyss  
To which he led her hastening—an abyss  
Which smoked with war—and something I don’t know,  
To show the war was waged for business?”

Then

After a silence Merival returned,  
“We’ll find this Smulski once again. I like  
His savage fancy, and his love of truth.”

## VI

Now days, weeks, months slipped by for Merival,  
With a little to do to overlook the bank,  
On which receivers, lawyers woke and slept,  
Making the saving remnant of the loss  
Enough for fees. But Merival kept the courts  
From laying hands on Ritter, saying why  
Indict a dead man?

On a day he went  
With Newfeldt to Chicago to confer  
With Smulski, but to find the sculptor gone  
To Poland, and for good, abandoning  
America forever. Who could make  
The bronze for Elenor Murray now? Meanwhile  
Merival bore the intricate affairs  
Of Arielle, vexed by the growing hate  
And covetous plotting of those relatives,  
Those sisters of her husband. He stood curtained  
Directing her (that was her wish); although  
After some time he lost the count of all  
The trips he made to Madison. In between

## THE FATE OF THE JURY

Aunt Cynthia and Arielle came to him;  
So that at last the sisters surely knew  
Some masculine advice was guiding her.  
And there were letters daily. Frequently  
Helena wrote for Arielle when reports  
Of business matters made the letter long.  
So was it now that Helena made her home  
With Arielle. And the dizzy sweep of life  
Near and afar kept Merival in a whirl  
Of wonder. What was Arielle? What was he?  
Why should he try to save his life? For what?  
Losing his life might be a way to gain it;  
Losing control of life might be a peace,  
Surrender, fortune'd better than his will  
Which gripped himself to keep a mastery  
Of self and life. In moods like this he thought:  
"Why in a crazy world be sane?" And then  
He'd plan to go to Madison, and say  
"You need a husband, Arielle. Marry me,  
And in the open I will end your trials,  
Settle your vexed estate. This home of yours  
What is it but a horror house? This town  
Where you must breathe the air these sisters breathe,  
What but infection do your nostrils take?  
And there're three thousand acres at LeRoy,  
Where peace is, where the distant woodlands send  
Dreams of tranquillity around the land,

## THE FATE OF THE JURY

And where with books and walks, and comfort days  
When the rain comes, before my hickory logs  
We may defy the world." So he would muse,  
Then he would find his soaring thought shot down  
By Ritter's words: "I never have obeyed  
Any good impulse without getting stung";  
And always he would find his dreaming checked  
By the dread of children born of Arielle;  
Or by the picture of her fate prevised  
If she bore children. Merival who had seen  
In hoping fancy sons and daughters here  
Romping the largesse of this lawn, saw none  
Mothered by Arielle. Then should marriage be  
The selfish interest of a man and wife,  
Grown thinner with the years?

To cap the sheaf

One day he read from Arielle: "I am worried,  
So worried,"—this was deeply underscored.  
And with her letter came a scrawl to edge  
His vision of a senseless, crazy world.  
That Barrett Bays, whom Elenor Murray loved;  
That Barrett Bays whose arms held Elenor  
Until she died, wrote Merival from his cell  
There in the madhouse. Long he pored the words  
Of Arielle, then with a listless hand  
Held the strange letter, of this Barrett Bays,

## THE FATE OF THE JURY

And read with measured beating of the heart:  
"Right to the end I might have lived a man  
No madder say than Dante. For belief  
That life, the world are wrong and devil made  
Is thought straight shot. But oh these vortex storms  
Of atoms which make thought go whirling up  
This way and that, and in and out, around,  
Swarm here, fly off, converge, disperse, or spire;  
That means the thought is faith, or fear or doubt;  
Sometimes sees system, progress; then divines  
A spiral wash of nebulæ which cool  
By radiation in the dark; at last  
By the void are sponged of every scrawl of chalk—  
And there's the slate, no marks. Well, I have seen  
A swarm of gnats against the evening light—  
And that's the nebulæ, first as it hangs  
Like a dead pendulum by the mere intense  
Beat of invisible wings, then darts and sways,  
Then severs and is gone. So swarming suns  
Whirl up, hang still, drift off and disappear.

"No matter, if the soul remains the eye  
Which the Thinker loves, and at the center sets  
To witness in security from first to last  
The strut of systems, and the puppet fall  
Of planets when the strings that dangle them  
Are jerked, and they are corded with the laws

## THE FATE OF THE JURY

Which make them dance. So long as I could see  
The soul as favored witness of this play,  
The soul as blossom on a starry stalk  
Whose pollen in the general design  
The Thinker meant to scatter for farther life  
That long was I an eye-cell in His eye,  
Or better, perhaps, one of the million facets  
Of insect eyes, whose aggregate image is  
Reflection of the whole. Now this was well,  
Was comfort to me, honor, dignity;  
And I could flout the shadowed rooms of space,  
The time clock scorn, though knowing while I dreamed  
If once it ticked a nebula would wink,  
Or if it struck the universe would sleep.  
So far the nebula of my brain was peace,  
Till something atomic stirred, an inner storm  
Which roared with sparks. 'Twas this: I said to self  
All's over, all the drama worth a look;  
But in past æons a gorgeous pageant moved,  
Of which this earth, and spectacle of suns  
Are the raffish rear, the limping, out-of-step  
Straggle, and we are brought the tragedy  
Of eyes by devil magic merely to watch  
The toppled torches fume in drunken hands,  
Smoke and go out, or thrown away along  
The streets deserted, darkened, without a sound.  
This was the divination which made death

## THE FATE OF THE JURY

And the world's end too, but trifles, if the soul  
Were honored, saved, and given work's reward.  
This forecast of the footlights soon to grow  
Dim in some billion years, then to go out,  
When the pit would be, the stage, one hollow black  
Seen by the phosphor of the eyes, if eyes  
Remained to stare, to stare the silent stage  
Where flats, flaps, props, and properties were strewn,  
Making imagined leviathans and shapes  
Of lowest hell's dreams—this forecast in truth  
Came of a speculation half confirmed  
By numbers, telescopes and chemistry:  
That the whole galactic spectacle was torn—  
Some hundred million stars—out of the breasts  
Of suns colliding with other reckless suns,  
As when the sledge falls on the dazzling steel,  
Or clamps the brake upon the wheel, up fly  
A shower of sparks: so the planets soar;  
And this, our little earth, a cinder mote,  
Sailed off, and left a mica speck behind  
To be its moon; sailed off to gather mist,  
Rain, till the jellied slime of steaming swamps  
Became a tooth, a leather-wing, a tail.

“Well, if it ended there who would lament?  
Not I; and I'd be sane. And if this earth  
Drifting in seas of space were doomed to melt

## THE FATE OF THE JURY

'As an iceberg in the Gulf Stream, I could smile,  
Provided I as man, and one of the race  
Were matter of atomic rush, electrons  
Out of the fiery center of a sun;  
Provided I were not a bit of crust  
Of the common crust, the earth, which as a whole  
Was from the outside of a sun torn off.  
That makes me stuff of lower energy,  
And no deliverance ever as flesh or soul.  
For thought, man's thought, is only saurian thought,  
Sped faster by a salt, or eisel spurt;  
It is steel, perhaps, but left akin to iron;  
It is not flame, because it never sped  
From the pure, invisible and eternal fire!  
What mockery of Big Malice, that I, a man,  
See through the joke, know that I might have been  
A spirit in a world of spirits, yet  
Am not myself a spirit, save so far  
'As this poor bit of crust is teased, which turns  
For retribution and grinds with a sullen heel  
The spark that aspires! So far a spirit only,  
Caught amid other creatures like myself.  
With what result? Why this: That after eras  
Which sent us up to straightened faces, rumps  
Which shed their tails, we still, as if in trees  
Huddled against the forest fire, retreat  
Above the flames, and chattering our fears



## THE FATE OF THE JURY

Watch the approaching doom. It comes to this:  
There is no whirling of the atoms in us,  
By which the past were saved, the future stayed.  
Hence wars! And back of wars the urge and thoughts  
Which speak them good. And hence the birth of good,  
Intended good, but which the Saturn stuff,  
The low, slow, leaden movement of our souls  
Makes pure good evil partly, half or so;  
Then turns about and takes a devil era  
To generate some years of mock success.  
After great war, innumerable deaths, the ruin  
Of Elenor Murrays, and myself locked here  
No worse in mind than those at liberty.

“So moves in us the sun’s inferior crust  
Whirled here as earth, from which we men were born,  
With hands that felt a kinship with the club  
Wherewith to beat out brains in swampy feuds  
For bread or mates. Soon there were flint and venom,  
Soon guns—and all for bread. When bread rose up  
To the giantship of trade, then Faith appeared,  
And handed up her lying mask called Truth,  
The sole, whole truth of whence we are and why,  
And with what rites the God should be adored,  
Made true, established by immeasurable blood;  
And how we fashioned sinless, perfect too,  
Fell, when we never fell, but rose from dirt

## THE FATE OF THE JURY

Hurled hither from a sun. These perjuries  
Turned us to snakes, and made the world a pit  
Where we were twined in coils of bloody death.  
And all the while the issue, too, was bread  
Made flesh by hocus-pocus, and wine made blood  
By Latin gabble. But these were mere pretense  
For bread, wine, flesh, blood, conquered to the use  
Of empire, privilege, and extorted gold,  
Wherewith the heavier and more murderous clubs  
Could rule. Whence was this? From that man  
Perfect, the son of God! Is that the truth?  
Was he such radium? Was he Saturn stuff  
As we are, and his hope was like our hope  
A flame earth smudged? Who knows? One thing is  
true

Our sole report of him puts in his mouth  
Such curses and such hates as never yet  
Fell from flesh lips. He cursed to endless hell  
Of flames and deathless worms his enemies,  
And these made wars; and these make hates to-day.  
Dull tyrannies that choke, and pain and shame,  
And breadless courage, honor, truth and toil  
For man's emancipation. We are caught  
Fast in this stuff of the sun, from which a gram,  
One little gram of radium can be drawn  
From tons of pitchblende. And it follows thus:

## THE FATE OF THE JURY

Mind is a spark, scarce visible at that  
Shot from this heavy cellulose of flesh.

"So here's the world and man. Yes, here he is.  
We might abide the annual spawn of hordes  
Dumb, blind, half-witted, mad, diseased, and weak,  
And shut them up, or feed them, while we strong  
Built up the world. But who's the strong, I ask?  
Are they the radiate light from the core of suns?  
No, rather pitchblende made to seethe and move  
By just the one inherent gram of light.  
Hence this America! This great defeat  
Successful now, first plotted against the souls  
And faiths that laid the Republic's cornerstones.  
Hence this America, this lump of pitch  
Whose yield of radium is used to kill  
Truth making dials visible at night,  
For gluttonous thieves, who later law and rob  
With courts, marines and battleships the toil  
Of broken crusts. All's mad—and I am mad."

When Merival finished this he laughed, he laughed,  
He laughed out loud, talked to himself at length  
As men do living much alone. "Just look!  
Who am I for such circumspect regard  
Of self? What will I gain by taking care?  
What will I do if I leave Arielle?

## THE FATE OF THE JURY

What with my life kept clear of perils? You  
Are fifty now. Will you live ten years more?  
Five? Two? One? What's the row about? Look  
here,

The woman's beautiful, the woman's keen,  
Intelligent, has charm. What do you want?  
In trouble too! Just think of it! Heavens, man,  
Are you a scoundrel? No! But think of it—  
It's Elenor Murray catches you at last,  
After your Harvard days, ambitions, books,  
Travel, and wide experience, after all,  
This little, battered nurse dies at LeRoy,  
Who living changed, we found it so, some lives;  
And being dead enforced this inquest, took  
Ritter, the others from a place immune  
To Elenor Murray; took myself long fixed  
In singleness, and sent me on my way  
To Arielle, on the God-stream drifting down,  
Which in my inner judgment I resist  
As impulse, passion, God, goodness, who see  
With Pyrrho that man never knows enough  
To say one course is right, the other wrong.  
Well, then to marry Arielle may be right,  
Or right enough, since among infinite days,  
Schemes, teleologies, this way or that  
Straying, if straying, lacks appreciable  
Difference. I wonder my streams of blood—

## THE FATE OF THE JURY

Being fifty—have not turned awry, to leave  
This island of my brain a curled up crust  
Where water crawlers, efts and stilted spiders  
Dart here and there—my thoughts. Rouse all your  
    strength,  
Capture your olden self. Yes, hasten now  
To Madison, and marry Arielle,  
Protect her, solve her issues. What can come  
To make existence worse?"

So Merival rushed  
To catch a train to Madison. Helena came  
And opened to him. And at once he saw  
The evidence of change, first vaguely sensed,  
Then seen in rolled up rugs, and couches draped,  
In hangings off the windows, in the trunks  
Along the halls. The writhing nerves of tears  
Knotted in Merival's breast. Past all delight  
Which once was here for him. And Arielle  
After the greeting sat upon the arm  
Of a great chair with hands around her knee  
Tensed back in simulate will, but yet how clear  
Was all her shattered life, how visible  
Her helplessness. Then Merival held her head  
Against his breast, "Tell me," but she was silent.  
When she looked up she dashed her tears away,  
Laughed to mock down the fate, and said at last

## THE FATE OF THE JURY

"It happened. They have bent me to their will.  
Lawyers are worthless, even yours. The facts  
Are all against me. In this crooked world  
Run with regard to human crookedness,  
Where sheriffs, mayors, all the rest are made  
To bond themselves to keep the law, and stores  
Have spies, cash registers and double checks,  
Collectors, lawyers, just to circumvent  
The natural, general, tendency to steal,  
In such a world how can you blame these sisters  
For their distrust of me, if like the world,  
I'd steal those stocks and bonds? So now trustees  
Will hold them; I've consented. All the law—  
And the law is made in doubt of men not faith,  
It's all against me. So I walk from here  
A pensioned creature, getting quarterly  
The income from these stocks and bonds. But why  
Stay here? I'm tired of Madison—so tired;  
I'm tired of Cynthia—forgive me that.  
So I have let them take this house to sell,  
And give me money for my homestead rights,  
My dower. And we are off to travel some,  
I and Helena, whom I love so much.  
Besides—" and Arielle paused and looked for long  
At Merival, half accusing, half with humor—  
"It may be wise for me to go away."  
Then Merival spoke suddenly, "If so—

## THE FATE OF THE JURY

If there be nothing but the trust, the house,  
Come, marry me—this minute. Get your hat,  
Let's to the courthouse." Arielle shook her head,  
"Wait, till I go away and think some more;  
I'll write you. You can come for me—perhaps.  
I can't go through it here."

Then Helena  
Came for directions, and then Arielle took  
Both hands in hers, and talked. But when she went  
Arielle said to Merival, "What a friend!  
She is adorable. How can you see us,  
And love me and not her?"

Now Merival stood  
Bewildered, balked, and half ashamed. His thought  
Ran back to Cynthia's lyric words which came  
When he was taking proof of Elenor Murray's  
Life and death: "A prankish wit," "a soul  
Of love of wisdom," "a spirit of bright tears,"  
"A will as disciplined as steel;" "if I  
Were taking for America a symbol  
It would be Arielle, not Elenor Murray."  
Then flashed his mind to what Aunt Cynthia wrote:  
"She is a will as disciplined as steel."  
And so she was! She did not need him. So  
What altruistic impulse moved him now

## THE FATE OF THE JURY

Went thankless! All his dreams of Arielle  
In longing, loneliness, in delicate  
Angelic beauty clinging to his strength,  
And watching the vine which she had pointed to,  
Trying to grow and cross her window sill—  
All this blew off and there in clearest light  
Sat Arielle self-sufficient, with her thoughts  
About her packing, steadied in her eyes  
As concentration on prosaic things,  
Mere sight which with its sharpness sheared away  
All iris rims, and saw him as a man,  
And not a trunk. Now Merival would have walked  
Once more with Arielle to live again  
First hours with her. But she was speaking now  
Of all that she must do, and wondering  
How she could do it. Then to spend the time  
And help her till his train, he went about  
Lifting and moving. After a little lunch  
He went away with self-upbraiding thoughts,  
Self-scorned that he had felt such tenderness,  
And such accountable regard for all  
Her happiness, her future. It was fancy  
Out of conceit that a mastery was thrust  
Upon his conscience, mastery of her fate,  
And fancying that he had whiffled back and forth  
Between a prudence and a rapt desire;  
While all the time she was mere human flesh,



## THE FATE OF THE JURY

A woman's too, who saw with selfish eyes;  
And who now that he stood surrendering up  
Reluctance, doubt—did she divine he did?—  
Seeing at least 'that he surrendered will,  
Paltered, denied; and at the doorway stood  
Saying good-by—perhaps forever too.  
Back to LeRoy with listless, thoughtless thoughts,  
With no framework to train his days upon,  
As the days passed idly, Merival returned.

## VII

IN this unvital recurrence of useless days  
More and still more he turned to Marion;  
And Marion came to dinner, came for talks  
Through jovial evenings when he laughed about  
His hard pressed wits to manage money ends;  
And about his life in all, which had escaped  
Long since all hands' control; about his health  
Which multiplied disorders. Marion said:  
"I'm like a man who's tied where water comes  
To waist, to breast, to mouth, at last to eyes,  
And so snuffs out the brain. This soul of mine  
Rests like a lamp upon enteric coils,  
Which have a way of writhing, rising up  
To show the lamp how it may be upset,  
Or how it may be strictured and submerged.  
It makes me laugh. For every time I see  
My doctor he discovers a new disease  
To add to others; and in time I'll be  
An ambulate pathology, and the seventh  
Wonder for ills in all the medical world."  
And Merival sometimes would read to Marion

## THE FATE OF THE JURY

From Arielle's letters, as she wrote to him  
From East or West, wherever her unexplained  
Life and its restlessness was taking her.  
And Marion listened, seeing that Merival  
Was tangled, fretted, and divining much  
About his friend's unsettled, wavering mind.  
Out of these talks came luminous prompts to change  
What Marion had written to be read  
When this engulfing flesh rose over him.

So passed a year's best part. And Arielle  
Wrote Merival about her wanderings.  
And she wrote letters in which all tender love  
Was poured to Merival, in which she blamed  
With artless words her own velleities,  
Saying that were she wise she would return  
With swiftmess to him—where she longed to be.  
At last she wrote of Helena and her wedding  
In Florida, because of which she planned  
Chicago for a residence at once.  
"That will be near to you, Strong-heart, and we  
Can see each other frequently again."  
Now Merival read these words to Marion, who  
Laughed with superior wisdom at his friend,  
And said, "If you could turn one-half your thoughts  
To youth's emotion, you'd be married now.  
Women are realists and see love-making

## THE FATE OF THE JURY

And love achievement so ridiculous  
That they can't fellow in it, but must be  
Captured, subdued, and raped for all of that;  
While you sit here and meditate and delay."

The talk went round LeRoy that Marion  
Struggled to keep his weekly sheet alive;  
First that his insubordinate integrity  
Kept him from money, closed the suborning purse  
Of light and power against him. There was profit  
For him from a bridge which privilege espoused,  
If he'd give help, not won by palpable bribes  
But indirectly paid by advertising  
Of products marketed of unrelated  
Interests—or hidden in relationship.  
But Marion stood fast; and there were sneers  
About his precious goodness—how achieved  
Out of those days when Marion levied coin  
From social figures whose respectable  
Positions could not suffer to be exposed  
In scandalous shames? Now it was full ten years  
Since Marion had gathered booty so;  
Ten years now he had stood immaculate  
For social justice; but setting now his face  
Against exploiters, they brought to light  
His dead self in a war of whispering.  
They plotted the downfall of his weekly sheet,

## THE FATE OF THE JURY

And dried in every place the revenues  
Which gave it life. And with increasing illness  
Added to harder struggles to exist  
Marion tottered to the night he came  
Back to LeRoy and took to bed. Not now  
Did morning find him rising to renew  
With strength refreshed and courage the daily fight.  
He lifted up his head and stood from bed,  
Then in a sudden moment felt throughout  
His body an ultimate weakness, and realized  
What strength is, how the length of life is strength,  
How between men of equal bulk it's strength,  
The intangible current coursing arms and back  
Which makes for mastery. And so sinking back  
Upon the pillow, and closing eyes he saw  
The end of life approaching.

Then Merival came,  
And sat with Marion to comfort him.  
And Merival brought specialists to consult  
On Marion's mysterious malady. They said  
The over-used machine was past repair.  
There in those little rooms, too badly kept,  
In poverty as well, lay Marion  
Laughing between the spasms of blinding pain,  
And flashing from a brain too much alive  
Humor and epigram and tales of youth.

## THE FATE OF THE JURY

Dolly was fuming, and with a scattered brain  
Tried to keep house. And when the bank account  
Sank to a few poor dollars she raged, and came  
To Merival and told him. And Merival  
Replenished it, and with a generous hand  
Surrounded Marion with comforts, brought  
A nurse to wait upon him; and supplied  
Dolly with other living rooms, to give  
Marion more breath and chance of peace.  
When Arielle reached Chicago she sent flowers,  
And in her daily letter to Merival  
Asked for the latest news of Marion.  
But in her letters, growing more and more,  
Merival saw the use of eccentric words,  
And thoughts expressed which had a latency,  
Or staccato of images, of broken ends,  
Which with each other lacked significance,  
And pointed to no meaning anywhere  
Intelligibly in time or space. She wrote  
To Merival to visit her—he was loth;  
And with this daily care of Marion  
He had excuse for staying with his friend.  
Moreover there was likelihood that death  
Would come to Marion any day or night.

In Marion he sensed a change of air  
About the rooms. It might have been the light

## THE FATE OF THE JURY

Of autumn in the rooms, thin, mystical;  
It might have been the scent of flowers; or else  
The light, soft movements of the nurse, or all  
These things together. Dolly had gone out;  
And Marion lay half sleeping. Merival  
Saw with a shock how grayer he had grown,  
How great long strands of whitest fallen hair  
Lay over his brow, and how the might of flesh  
Which made a lordly magnitude of Marion  
In the days of health had shrunk to fluttering strips  
Above his difficult breath. So Merival stood  
And gazed upon him, till with sudden eyes  
Opened to Merival's presence, Marion  
Looked, smiled and spoke: "You're just in time for me  
To give you something. Now it won't be long  
Before I'll know what Elenor Murray knows,  
Or doesn't know—poor girl. Reach under here,  
This pillow. There! That is my soul's account;  
Read it. I hope you fellows will get good  
Out of it—you—especially you—some one.  
I'd hate to think that lying here all men  
Would be unprofited by what I've lived.  
That's the torture lying here, to think  
Your life was nothing—all your chances wasted,  
Your right way missed. Well, so a creature lies  
Gripped on his deathbed, cornered, trapped at last,  
No backing further back against the wall;

## THE FATE OF THE JURY

But with thought left him strong enough to range  
His old life over, live neglected hours  
With thought clairvoyant—with an edged remorse.  
My friend, give me a decent burial;  
No sermon and no prayer, no tearful song—  
Arrange it somehow. But for God's sweet sake  
No Ethical Culture ritual—that's one-half  
Of one per cent a Christian ceremony  
And borrows, parallels the genuine,  
But isn't that. Wine over the body and fire  
To burn it, that is pagan, beautiful.  
You can't do that. Well, does it matter much?"  
Then Marion ceased, closed eyes. The nurse came in;  
And Merival was leaving. Suddenly  
Marion looked again and stretched his hand  
To Merival, and said "Farewell."

That night

At nine o'clock they came for Merival.  
And when he entered Marion lay becalmed  
As a boat which waits the breeze. His speech was gone,  
But he was looking, watching, as it seemed.  
When he saw Merival enter recognition  
Lighted his eyes, then suddenly they stared,  
His breath went out. And Dolly sent a shriek  
Which pierced the night, "That's all, that is the end—"  
Then fainted.



## THE FATE OF THE JURY

All that night sat Merival  
By the side of his coffined friend. He broke the seal  
Of Marion's soul confession, and as he read  
Looked at the dead face, now so crystalline;  
Read on, then looked again, till all was read.  
Then after an hour took out the sheets again  
And read them over. These were Marion's words:

"First I set down that I was meant to be,  
A poet. But what's a poet? Not just verse;  
Many are skillful in rhythms and in rhymes.  
It's having courage, resolution, will,  
A judgment true, a passion for the good,  
The beautiful in life, the love of justice,  
And rational thoughts that weigh with finest scales  
All logics, inner cores of the real  
That make a poet. Like a prophet too,  
He should be uncontaminate of the world,  
Of the gross greeds, ambitions, feelings, aims  
Of men in the world, while going to and fro  
Among them, learning, knowing, keeping still  
A spotless life. I don't mean he should push  
The cup of life away with anchorite  
Abstention. No, he should seek happiness,  
But happiness that comes of high regard  
For what results along his inner life,  
Bring no regret, no self-contempt, no hate

## THE FATE OF THE JURY

For the self soiled ; for if the self be soiled  
Soiled song will rise from you. Is this, maybe,  
A platitude? If so why does each crop  
Of poets fail to mark the platitude?  
Wine as a symbol, woman as love, and drink  
Belong to poets, but with delicate  
Appreciation of their use, wherein     “  
I failed. But I had courage of a sort,  
And will and resolution ; though in truth  
There is the flash of powder in the pan  
And the burning flame which never fails, and I  
Was flashing, going black and flashing up,  
Until the mere explosive of my soul  
Was burned away. So had I for the good  
A passion, and that lasted me to prose,  
That's the ironic taunt against my life!  
I loved the beautiful with a love betrayed,  
Or else misguided by the encroaching lusts  
Which crawl upon a man who lets himself  
Fall into weak despairs ; and so at last  
I walked all spotted from this evil world  
Whose enmity a poet must perceive  
In time to avoid its touch. And that's to say  
I lacked the delicate scales of rationality  
Which weigh invisible logics. Now let's see  
What quality my will and courage was.  
Here rise not merely the pleasure to go on ;

## THE FATE OF THE JURY

But also the set will to do it against  
Scant bread, a lonely room, and winking eyes  
Of those who prosper, and take you for a fool.  
You must be strong to keep your self-regard  
When you hear 'fool' too commonly remarked  
About your resolution. For in truth  
There is a devil whisper here which says  
When you are hungry, and your shoes are out:  
'You're not a poet, you'd better give it up!'  
Concretely now if I had set my will,  
And having set it had obeyed  
Careful economies, the matter of food  
Would not have bothered me. I sold some poems;  
And as I write these words I feel convinced  
I might have lived by poems in a way;  
A poor way, maybe; but there's the rub again:  
Must you have much, a pocket full of coin—  
And joke on me, I never had that much—  
Or have your life's success?—Here logic comes,  
Already named, and as a life logician  
I failed in this, in almost everything.  
It's natural to have a loss of faith  
In self when what you write cannot be sold,  
Comes back rejected. When that fell to me  
I buckled to, I stood my ground a while,  
I laughed out lyrics; I remember one  
About a bard who tried for seven years

## THE FATE OF THE JURY

And then returned to castled Fame to see  
If she had put his name above the gate.  
She hadn't; and for seven years again  
He strove, returned, and saw her gate—no name!  
He tried again, returned and found that Fame  
Was Sorrow, bore that name, so he was fooled;  
But with proud, tearless eyes saluted her  
And went his way. That was my lyric then;  
Judge for yourself. But see what lack of faith  
And lack of will were doing to this art  
Which must be fed with currents of blood so strong,  
So singing, confident that it sings despite  
Defeat and makes defeat a noble theme,  
Never a lady of Sorrow in a castle.  
Now I had wine, the liquid's self—too much;  
And I had women to the last mad search  
Of flesh for happiness, till a vanity—  
I hate to write this—danced my steps along;  
A vanity which vaunted such amours  
As come to any writer. And with these  
I drugged myself to ecstasy, to belief  
That what I felt was love, the thing divine;  
Until the poor stung nerves no more responded;  
And with a vision dulled I could not tell  
Whether I loved, or ever loved. So love  
Which must be guarded for the sake of song  
Passed from me as a theme. Besides unfaith

## THE FATE OF THE JURY

Often is met with in such faring free;  
This I incurred enough—a proper thing  
For gaining wisdom if your soul escape  
The trivial cynicism of a worldly mind.  
But I emerged infected with contempt  
For women from these misadventurous ties.  
Well who can say I had great genius? All  
Can say I failed! But now I have belief,  
And write it with all confidence in self,  
After these years of thinking, living, I  
Had surely risen to some height—how great  
It's folly to describe—if I had worked  
With patience, calmly, sticking to my task  
With firm belief in the real usefulness  
Of rising where I could, appraising that  
As best success, best stewardship of my gifts.  
I didn't. I with anger, in disdain  
Threw down the task. I bought that little sheet  
To make a living by, in which to print  
At first my mockeries and blasphemies.  
I sold myself for clothes, for rings and trips;  
For drink, for vellum bindings, first editions,  
For what the drunkard or the dilettante  
Prizes. And I went snooping here and there  
For secret shames to capitalize, by which  
I could get money keeping them unexposed.  
Nothing smells viler than do rotting grapes

## THE FATE OF THE JURY

Which sour and scum. And I was rotting now,  
And luminous with decay. I hunted out  
All pornographs, and reveled in belles lettres,  
And filled my columns up, with Oscar Wilde,  
And soaked my style in Walter Pater's till  
My pristine self was lost.

"I married then  
My first wife, first seduced. There by my side  
She caught my spiritual rot. She took to drink,  
Became a dipsomaniac, and used to shriek  
For drink when I came home. I kept it from her  
At times until I had to quiet her  
By bringing out the bottle. Well, she died,  
And I went woman hunting once again;  
But found an easier solace laying up  
With Dolly at her sporting house. And now  
Fate fell to pranking. First when I was broke  
I went to Dolly, and she helped me out;  
One time the printer almost put an end  
To my sheet; but Dolly saved it. She came forth  
And paid the printer's bill and I went on.  
That's the first item among the pranks of Fate.  
Verse having failed me, now the staff of prose  
Was breaking in my hand; or you might say  
That golden blackmail had become alloyed,  
For I ran out of victims, and besides

## THE FATE OF THE JURY

Some social change made fears of exposés  
Less sensitive to threats. My revenue  
Flowed from subscriptions now, or little ads—  
But Dolly chiefly.

“Now I had fared enough  
On Pater and his kind, on Oscar Wilde,  
On all exquisites, precious balladists,  
Such shavings, straw, such lifeless chemic foods.  
I needed meat, fresh spinach, things that grow  
Free in the sun, and from the sun extract  
By photosynthesis the living fire.  
Now comes the item second. The coroner—  
When you read this, my friend, smile and be glad—  
The coroner lent me Marx. I read it all.  
I saw that he’s a thief who lives without  
Work, and I saw that he who lives on thieves  
As I was living was an itching tick  
Which burrows and sucks blood. That social flame  
Which struggled in me as a poet, tried  
To make me one, returned to me. I vowed  
To run my paper as a lusty voice  
Of social justice. How much we do for God  
That proves pure folly for ourselves, who knows,  
For mankind too? For having so aligned  
My work in life I found all chances gone  
Forever of prosperity. Advertisers

## THE FATE OF THE JURY

Drew off, subscriptions fell; and oftentimes  
I peered ahead and said, Well, I can last  
Another month, and after that I'll tramp  
Doing police reporting. But every time  
When I was deviled by the printer's bill  
Dolly would save the day with money earned  
From wine which drunken revelers bought, from fees  
Raked by her girls out of the muck of lust.  
What Dolly did was like the cyanide  
Process by which crushed ores are leached in vats  
With dilute of potassium cyanide  
Which brings a gold precipitate from slimes.  
So Dolly found me gold and I went on  
Defying railroads, power and light, the giants  
Of giant thieveries. When I fought that bridge,  
That switchyard, I was almost downed; but Dolly  
Came forward with her money. That's the secret  
Of my applauded constancy and strength  
By which the people profited. All's due  
To Dolly and her girls. The fight so won  
I went upon a roaring drunk, laid up  
At Dolly's for a week, while doing so  
Walked out with her and married her, but not  
In drunken recklessness. I had thought it out  
In sober days before in every phase,  
Weighed every reason. First what Dolly was,



## THE FATE OF THE JURY

What her profession. But I had sold myself,  
My fellow beings too. I had reformed,  
But Dolly helped me in my high crusades,  
Shared my reform thereby, indeed with joy;  
She knew the game of life, the crooked ways  
Of money men, and she was glad to soak  
Her fists against their jowls. She laughed one time,  
'These fellows come here, pay for girls and wine,  
Then this same money is handed on by me  
For you to fight them with.' And that was true.  
So then as prostitutes, and as souls reformed  
We stood together, tallied. I don't say  
That it was gratitude that prompted me  
To marry Dolly, rather a justice sense.  
But there were other things more exigent.  
I had been cruel to a drunken wife,  
Had led her into drunkenness, and so craved  
Way down in some dark crevice of the heart  
Where gnaws the undying worm, a chance to gouge  
The worm out. But I'd counsel all who read  
This soul confession to be generous,  
Forgiving, gentle with your womenfolk.  
A mystery is here: You dare not stand  
Resisting woman's breast. Just as the sperm  
Will die if staying back it never reach  
The predestined ovum, so will man who flies  
The woman by the course of life made his.

## THE FATE OF THE JURY

Cognate to such philosophy was thought  
Stirring in me by never a being guessed  
Who knew me, wondered why I married Dolly,  
And thought I threw myself away. The poet  
Was not all dead in me, though verseless long.  
I thirsted for a chance to make amends  
For all my failures, all my sins, all grimes,  
From wallowings. What better way to do it  
Than by such marriage, which would test all strength  
Of patience, which might put to sacrifice  
Pride, taste, peace, happiness, comfort, heart's desire  
For beauty? Did I know the slimy rocks  
As I descended, know the mephitic hell  
Which lay below to which I walked? I knew.  
Did I not see ill-nature in her eyes,  
And note upon her mouth the odious words  
Of ignorance, obscenity and spleen?  
I noted them. Did I indulge the hope  
That with the bagnio left behind, a wife  
Married to me, her old associates  
Would drop away, nor rather lurk along  
The shadows of her former life to steal  
Thence to her presence when my back was turned,  
And taint my rooms of life with memories  
Of what she was? I saw this in advance;  
And I endured all when it came. And why?  
Clearly to make my penance all the more.

## THE FATE OF THE JURY

For in proportion as her life offended  
Did I bring equal spirit to submit,  
Forgive, if that's the word, and so obtain  
By sacrifice an expiation for all  
My cruelties and lusts and prodigal  
Waste of the gift of life. Have I paid all  
This woeful debt? I think that any God  
Would be appeased. For lastly did I see  
The future thriftless with no bagnio  
To subsidize my ideals when she left  
That life for marriage? That, of course, I saw.  
But I had hope of new prosperity.  
It didn't come; meanwhile the fierce onslaught  
Of giants on me deepened, and my campaigns  
Grew heavier, and less financed with time;  
Till with disease which took me suddenly  
Defeat slunk by my steps and Poverty  
Crossed from the bank and rattled at my door.  
I must recur to something, nothing less  
Than Elenor Murray, all I learned and lived  
During that inquest as a jurymen.  
For truth to say I married Dolly when  
The letters of Elenor Murray to Barrett Bays  
Were read to us, and I took close to heart  
Her sufferings in the war, of which she wrote;  
And when I saw past any doubt at all  
She loved him with a love which made me see

## THE FATE OF THE JURY

What love is—it was that that made me turn  
With love to Universal Truth, called God;  
With recognition, too, by love bestowed,  
Of Dolly's part in the mysterious fate  
Which took my life, and helped it to best things,  
As I conceived them, made me say at last  
With full acceptance, understanding, too,'  
Although He slay me, still will I believe.  
After all wanderings with the intellect  
This intuition granted me at last  
Into the nature of the deepest truths  
Filled full my heart with happiness, and sustained  
The hard days I have lived beside the Fate,  
Which unveiled her face and let me see her eyes.  
Now here I sit in a cold cheerless room  
Writing upon the creaking, shaking leaf  
Of a poor, cheap desk this record of my life.  
I cooked my supper. Dolly is off somewhere—  
God knows. The dining table still contains  
The breakfast dishes. There's the bed unmade  
With tumbled covers, sheets and pillow slips  
Which show the grime. No drink is in the house.  
What if there were? I could not relish it.  
There's no one left to call to come to me.  
The coroner has gone to Madison.  
There is a lady there—good luck to him,  
And fair success in love. Here ends the lesson.

## THE FATE OF THE JURY

Three words express it wholly: I HAVE PAID.  
I only add that I am glad I have."

So through the night read Merival, as he watched  
Beside the coffin of his friend.

Then came  
The funeral where the Rev. Maiworm spoke  
Of Marion's courage, genius, faith in man,  
His Rabelaisian humor and belief  
In man's uprightness, tendency to good;  
And how he was the perfect Thelemite,  
A jocund friend, a noble spark, a mind  
Unenvious, and brave, and sworn to truth.  
A few words by Llewellyn George. These three  
Bore from the hall the coffin. Suddenly  
Merival half down the aisle beheld  
The face of Arielle sitting with the rest.  
She looked at him, looked down. He looked at her  
And gave her recognition with his eyes;  
With no returning glance.

There at the grave  
Of liberals, of little pamphleteers,  
Of poor lame souls in life, of faces veiled,  
A multitude had gathered of laborers,  
Women from Dolly's life. And Dolly stood,

## THE FATE OF THE JURY

Shaking and crying, throwing rifled flowers  
Upon the lowered coffin. Merival looked  
In vain for Arielle until the clods  
Rattled their hollow sound, and diggers heaped  
The earth on Winthrop Marion.

Back to town

Merival searched for Arielle. First he asked  
Garage men if a lady with a car  
Had come and gone. He scanned the register  
Of the Holly House; and at the station looked  
For Arielle waiting for a train. At last  
He ambled home and rode his favorite horse  
About his many acres, lost in thought  
Of Arielle, while mulling Marion's words  
Still in his pocket. Now and then he stopped  
To read some passage; then he spurred the horse  
And galloped forward. Well, to-morrow night  
He'd summon Rev. Maiworm, Newfeldt, George—  
The three remaining jurors of Elenor Murray's  
Inquest to come, and hear what Marion  
Had written. But to-night what should he do,  
First night for Marion on an earthen couch?

Returning from his ride Merival saw  
Maiworm awaiting him upon the porch,  
And wondered, but soon he knew how deeply grieved

## THE FATE OF THE JURY

Was Maiworm, and how he was haunted by  
World fear and loneliness of soul, enhanced  
By a trammel of little life there in LeRoy;  
Trammeled but striving to put some meaning in  
The passing days, and be a blessing to  
His fellows. This gave Merival sadness now,  
Scanning the futile figure of this man  
There on the porch. So, too, it did to think  
About the words which Maiworm said when hearing  
The Borrow story, by which he half recanted  
His faith expressed at the inquest's end, that all  
Good would ensue from Christ's ascendancy,  
And conquest of the world. Not that Merival prized  
That conquest chiefly, but that he winced to see  
A soul give up its inner hope and say  
That what it treasured looked of smaller worth,  
And in that fact confess soul homelessness.  
Now Merival was touched, and took the hand  
Of the village pastor, and said, "Come dine with me,  
I am alone, and sorrowful enough  
For Marion's death. We two shall never see  
His like again, and a soul has gone from us  
Whose loss the passing days will not repair.  
I have his story here which you can read,  
And then we'll talk." And Maiworm answered him:  
"I want to see you, stay a little while,  
But not to dine—I can't." They entered then;

## THE FATE OF THE JURY

And Maiworm read the story while Merival  
Sent off a telegram to Arielle,  
While in compassion, somehow, for the man  
Who in the next room waited him, and thinking  
What Maiworm's life must be, caught in the sum  
Of village faith, and church theology,  
Wearing the symbol of insignificance " "  
By his very name, while hungering for God,  
And in that very hunger given glimpses  
Of that far world wherein imagination  
With the Eternal rests.

When Merival  
Reëntered, Maiworm, having read the story  
Of Marion, sat in silence, shedding tears.  
But soon he said, "Well, coroner, I can't  
Keep back the tears; these words go in the heart  
Both for our friend who suffered, but as well  
For ourselves who suffer, and more clearly see  
What pain is ours and why. Shall we not say  
That Marion wooed and won celestial things  
While preying on earth's garbage? But of Borrow  
That good escaped him though he wooed it in  
The shape of heaven—heaven by him contemned  
In his very heart, which left the mask assumed  
Awry upon his face, and half exposed?  
Yet thinking of myself while judging both  
I feel like saying that the soul is like



## THE FATE OF THE JURY

The thing it hungers for. As Borrow longed  
In youth, when the heart is fresh, for a better world,  
For freedom, man's equality, was he not  
At heart these things throughout? And Marion  
Who felt the poet's passion in his youth  
And felt it always, and even judged himself  
In enmity almost for failing self,  
Was he not by these things the poet, but  
Sealed for his sins, a punishment enough?  
Made dumb like Zacharias who was given  
The thing he prayed for but being given it  
Doubted its verity? As for myself  
Less with the days do I condemn, and since  
The Elenor Murray inquest, and those days  
Of prized association with you and all  
Who sat with me, my vision has been made  
Deeper for truth, the universal truth;  
So much did Elenor Murray do for me.  
And I have thought about the radio,  
And what the world becoming will become  
Through music, voices, poured around our ears  
In the silence of our hearths, in villages,  
Through the far darkness. Beyond the literal fact  
That Bach shall be familiar in LeRoy,  
And what the dancers dance to in New York,  
There will be comprehension of that world  
Of spirits who did battle here and fled

## THE FATE OF THE JURY

Into the vastness. We shall worship, too,  
More passionately the Universal Power;  
And we shall feel that choirs and viols are  
Beyond the dials of the radio  
Which tease us, being inaccessible.  
Well, for myself: Take first my very name,  
Maiworm, what fate affixed it? But what fate  
Made it appropriate? Think you that I've felt  
No shame for this? Or take my place and work  
Here in LeRoy, where rages the heavy storm  
From the land at large about the virgin birth,  
Atonement, grace, the mission of the church,  
Immersion, resurrection from the dead;  
Who thinks of me, a poor, weak, little man  
Holding my coat about me as I battle  
Such controversial winds, for veriest 'bread?  
No rather do they frown upon my soul,  
My vision, and dishonor it, because  
They brought me to such fellowships as this  
Upon this jury, and led me to declare  
That God is known and loved by the inner eye,  
Not by the tongue of doctrine.

“What's my secret

Which I must write? Essentially but this:  
All that has kept me from the vision of God,  
From love of Him, shut out, left isolate  
In some imprisoning hate, but at the last

## THE FATE OF THE JURY

Concretely this: That I was never loved,  
Believed in by my mother, which to-day,  
And all along has been a taint of soul  
Bad as a taint of actual blood. That Christ  
Has never cured this lifts my eyes perhaps  
To the Father beyond the Son. But how to write  
All the years' agony for this mother's doubt,  
Dispraise and disbelief which sapped my life  
With brooding pain, is just the task I have.  
And how to show a sister shared in it,  
And joined with her to take the little house  
Away from me, which father meant for me,  
Who loved me, understood me—how this stands  
Against my better nature, has made frustrate  
My growth, is what I must confess in full.  
Will you believe me, though I am most poor,  
The house as property I can forbear?  
But the souls whose quality denies the house,  
While I cannot deny the souls are mine,  
That is the wound that makes me cry aloud  
A soul forsakeness which loses God.  
Is there worse sin than this? Well was it said  
To fear not them who kill the body, but  
Fear them who kill the soul. For I am made  
By this resentment and this mother hate  
Uncandid with myself and furtive too;  
My soul hunts rat holes for escape; it looks

## THE FATE OF THE JURY

With bleared eyes at the sun ; I am consumed  
With memory, and with lurking ; I am filled  
With self-depreciation, diffidence,  
And have been from my youth increasingly.  
Where will it end ? Look at the deep offense  
Which gathers virulence, and sends me blind  
For the vision ! Now although I've promised you  
I wonder if I should lay bare my heart,  
Seeing it must expose my mother's hate  
For my father, and her hate of me because  
I am his son, not hers in very soul ;  
Her hate that has so crippled me, to which  
A sister's hate was added to make the sum  
Of my soul struggle, and defeat perhaps."

So Maiworm talked, while Merival gazed at him  
And listened with all attention. Then at once  
Maiworm arose, and once again declined  
To dine with Merival, and walked away,  
So lonely, Merival watching him disappear.

Merival ate alone, so much absorbed  
In thought about the pastor, but no less  
In Marion and his story, that he knew  
Scarcely at all what food was served, or when  
He finished, or what servant set the courses ;  
Or when he left the table, and once again

## THE FATE OF THE JURY

Began to read what Marion had written.  
With thought of Arielle he read each word  
Of Marion's confession, which could light  
His way with Arielle, read it once again,  
Over and over. Then at nine o'clock  
He rang Chicago, tried to talk to her;  
Her hotel room was silent, no response.  
Had she returned? Had she returned and gone  
Out for the evening? But how strange for her  
To journey to LeRoy and go away,  
And fail to see him. Yet perhaps how like  
Her whimsicality.

So the night came down,  
And Merival by a table in the room  
With a bow window looking on the porch  
Was reading Marion's story once again.  
He heard a sound behind the hallway door,  
A step it was, perhaps a servant's foot.  
He rose and opened—but no one was there.  
He sat again, and heard the severing crack  
Of woodwork, then a step, it seemed to be  
Upon the porch. He pressed his face against  
The blackness of the windowpane and stared  
Where nothing took his eye but the leafless vine  
Which the wind shook, and made the trellis creak.  
Seated again he found a book to read;

## THE FATE OF THE JURY

But restlessness was on him. All the room  
Somehow had eyes; they stared against his back,  
Out of the darkness through the window staring;  
And once when glancing up he seemed to see  
A light or whiteness vanish; once again  
Quick turning to the window he beheld  
The face of Arielle, faintly pale and sweet!  
With pensiveness she gave her eyes to him.  
Then Merival threw up the window, took  
Her hands in his and drew her in the room,  
And hid her on his breast. She whispered now:  
"I'm tired of wandering, tired of loneliness."  
That night he married Arielle. Maiworm came  
And read the ritual.

## VIII

AROUND the lovely country of Starved Rock  
Their life began on horses. Arielle raised  
Her spirits like a storm beaten flower  
On which the balminess of soft blowing airs  
Has come with tranquil sunshine. Merival  
Attended her and served her, gave her rest.  
He lifted from her life the vexing load  
Of that estate in Madison. He willed  
His sacrifice to her, how sweet this love  
Which thought of her alone and not of self!  
What use for his remaining years like this  
Devotion? Let the dream go by of sons  
And daughters romping on this ample lawn;  
He put that hope aside in care of her,  
In caution for her sake. Yet a few months  
Brought emphasis to her curious moods, her words  
Of various contradiction, lack of truth;  
She passed from ecstasies to melancholy,  
And wandered far afield alone; or sat  
Pensive far looking to the riverside.  
Then Merival returning after a day's

## THE FATE OF THE JURY

Absence, the horror broke upon his life.  
As he approached his gate he saw a woman  
Awaiting him, and thought that Arielle  
Had come to meet him. So he waved to her.  
But drawing nearer the face was wholly strange.  
As he dismounted, and his stableman  
Came forward for the horse, the woman 'walked  
With diffidence toward him, and made known  
Herself as Mary, who in Arielle's youth  
Had read and walked and played with Arielle  
In Wytheville. Now she told how she had come,  
And knocked upon the door, which Arielle  
Opened to her, and stared at her at first,  
Then seemed to faint, then quickly turned away,  
And reappeared bearing a knife, and rushed  
With sharp, shrill cries on Mary, swiftly running  
To escape the knife. Meanwhile, as Mary told,  
The servants coming forth caught Arielle  
And mastered her, and locked her in the attic,  
Where she sat now, staring through flowing tears.  
But she had killed the Airedale, Boy, before  
The knife was wrested from her hand, and there  
Lay Boy beside the gate with slitted throat,  
Which Mary pointed to, and weeping said  
That poverty had driven her to come  
From Idaho to Arielle, and with hope  
That she might serve her somehow, and so earn



## THE FATE OF THE JURY

A servant's room and bread. Now Merival  
In the terror of the moment could not stay  
To analyze this story, but in a flash  
He wondered why, if Arielle sent her money,  
There was a need for Mary to come, and break  
His home's peace thus, and topple Arielle's mind.  
He hastened to the attic, to Arielle.  
She sat there staring with her blouse all torn,  
Her hair disheveled; but when she saw her husband  
She hid her eyes, and with clutched fingers groaned.  
She rose and tottered toward him, kneeled to him;  
She clung to him and wept, with nervous hands,  
And trembling fingers like the terrified  
Claws of a bird she plucked his coat and stroked  
His hands and face. Then Merival called in  
Nurses and guards to watch her. Through long years  
She passed from days of violence to calm,  
From sunny self-possession to dark hours,  
Turned, as it seemed, to mazed and wandering thought  
On things remembered, or to unreal shapes.  
But with the years more surely she became  
The fading phantom of lost loveliness,  
A quiet feebleness who walked about  
The lawn of Merival with guards. And he,  
Her senior by some fifteen years, slipped down  
To seventy years, a hale, old man at last.  
And he supported Mary while she lived

## THE FATE OF THE JURY

There in LeRoy. For later paralysis  
Struck Mary down, soon after the dreadful day  
Which darkened Arielle's mind. So Merival  
Provided Mary with a house and nurse,  
While the years went on for him and Arielle.  
George, Newfeldt, Maiworm drifted off at last  
Passed out forgotten, never wrote their lives  
For Merival to read. Forgotten too  
Were Elenor Murray and the famous inquest.

Save on Memorial Days when soldiers' graves  
Had the remembrance of LeRoy, a wreath  
Was laid upon the nurse's cenotaph,  
Which marked the center of the village square,  
With its bronze tablet showing in relief  
Her face, and underneath it date of birth,  
And date of death, and just these words: "The spoils  
Of war are leaves which destiny blows away;  
Her hope was as the tree which still endures."  
This was the work of Merival who remained  
After his jury vanished from LeRoy,  
Leaving to him in the middle, lonely years  
To finish what they planned. And at the last  
Those who remembered Elenor Murray, or  
Later remembered what their parents told,  
Spoke of the bad, strange woman who as nurse  
Served in the war in France; or of LeRoy's

## THE FATE OF THE JURY

Joan of Arc, who gave her life for love  
Of country and of truth.

Now Merival

Along the years from time to time set down  
Words of his life, but never finished them.  
One time he wrote: "We search for love, that's all;  
That's all my story, that is every one's,  
However circumstance may vary it."  
To this he added after many years:  
"This is Memorial Day, my birthday, too,  
On which I reach my seventieth year. . . . I stood  
Before the cenotaph of Elenor Murray,  
And tried to think. Brief, long has been my life;  
Brief, long the history of the human race.  
It gives me faith to think the world has stood  
A billion years, and yet will stand as long;  
Yes, that these last five hundred years of time,  
In which the race has climbed, and mastered laws—  
How many laws—what wisdom it has won!—  
Are as a second of the eternal clock,  
And less than that my poor, small, seventy years.  
What in the million years? An invisible gleam  
From the swinging pendulum! As to my search,  
My life's long passion, valuable for itself,  
For my life's planning, worthless. These exist  
Together—nor oppose nor contradict

## THE FATE OF THE JURY

Each other. What I worked for, has it failed?  
Magnanimous vastness takes it! But my hope  
Established me at last in peace with self,  
And made me tuned with vastness which demands  
Hope, love, truth, beauty, which I see as laws  
Eternal like the laws of gravity,  
Of energy. Then why this universe? "  
Why mind of man which the great scene explores,  
If it be not for him to know, as part  
Of its inherent reason that it is?  
If it be not his mind was made to grow,  
As it has grown these twenty thousand years—  
As it must grow in the million years to come  
To a wisdom millions greater than to-day's?  
This is my faith, all reasonable, while doubt,  
Which sees a universe in defeat, and man  
Defeated as a mind for that defeat  
Is all insane. No, I believe, and ride  
By this belief vast wings from star to star,  
From which I look on death beneath as a shadow  
Thrown from a mountain by the rising sun;  
And if night come as blotted consciousness,  
The law conducts it; with what good compared  
Is this law rendered bad? Were there not days  
And nights before me and shall there not be days  
And nights long after me? And from what? No less  
From that same law which to deny denies

## THE FATE OF THE JURY

Myself, impugns that man has learned the laws,  
That man has risen; and that the love of truth,  
The love of love, in spite of all the loss,  
The anguish, reckless hatred of our kind  
Sustain and justify and help to prove  
The inscrutable mission of the million years,  
In which each incident is destiny,  
Or negligible, leaving the destiny pure.  
For I perceive necessity within  
All trivial things, which in the aggregate  
Make lives—made all my life—and epochs make  
By the aggregate of lives, until the land  
To the utmost limit of the ages stretches  
And shows the chronicle of God, who is  
The deep internal current flowing on  
To an end beyond our vision, undisturbed  
Unchanged by the surface waters, which deceive  
The material eye by flowing counterwise,  
Or by the run of waves, or water spouts,  
Or lawless streams, thus saying there is no  
Purpose, no law, no destiny, no God.  
The Destiny can despise particular ill,  
The failure of great men, a nation's hope,  
Great wars—and why? They are the Destiny!  
While we as individuals still must strive,  
Nor escape the striving save by being less  
In the Will which fashions forth an epoch's tale,

## THE FATE OF THE JURY

By seeing and using the divine which makes  
The world becoming. Suppose America doomed;  
Suppose its greatness be but outward form  
Of greatness, asserted stridently to hide  
The absence of any greatness within its life,  
Shall I lie down in fatalistic sloth?  
Or shall I for myself, and with the trust  
That America is the symbol of the Power  
Moving with rational purpose to some end  
Go on, fight on, as surely I meant well  
In taking a spiritual census of America  
While assaying the life and death of Elenor Murray?  
So on my seventieth birthday do I think."

So sped the days of Merival with the care  
Of Arielle, till eighty years were reached.  
Then Arielle died. And Merival built a tomb  
Below the slope that ended where the lawn  
Merged with the fields; and there he housed her grief,  
So long endured, so finished.

Until he died  
The passer-by could see him near the porch,  
A wasted body in a rustic chair  
Too ample for his shrunken flesh. He seemed  
To stare the woodland distance, with slouch hat  
Over his eyes drawn down; and that white hair

## THE FATE OF THE JURY

Lay flat upon his slender neck; his hands  
Rested upon a cane. How much immersed  
In the wide landscape was his shriveled form  
Lapped by insatiate life, and vanishing!  
He was a solitary tree which lifts  
Dead limbs to graying skies, nor even craves  
The memory of past Junes and leaves of green.

(1)

THE END









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